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1721.

THE
L A W S
OF
J A M A I C A,

Pass'd by the

GOVERNOURS, COUNCIL
and ASSEMBLY in that Island,
and confirm'd by the Crown.



L O N D O N :

Printed by W. WILKINS, at the *Dolphin* in
Little-Britain. 1716.

Handwritten text, possibly a signature or date, in the top left corner.

1840



THE
PREFACE.



HAVING undertaken
Printing all the Laws
of *Jamaica*, which
are confirmed by the
Crown, and now in
force; for the better Satisfaction of
any that may incline to remove them-
selves to that Island; I thought it
incumbent on me to give the fol-
lowing Account of the Country.

The Island of *Jamaica* is distant
from *Hispaniola*, West, about 25
Leagues; from the great Island of
Cuba 26 Leagues; and the Main
Land of *America* and *Cartagena*, a-
bout 150 Leagues. It fell first
A 2 into

iv. *P R E F A C E.*

into the Possession of the *English* in the Year 1655. The Middle of it is situated nearest in 17 Degrees, 40 Minutes of North Latitude ; so that their longest Day from Sun-rising to Sun-setting is 13 Hours 4 Minutes, and their shortest 10 Hours 56 Minutes: The Difference of Longitude from the Meridian of *London*, to the Meridian which passes over *Port-Royal*, is 78 Degrees, 45 Minutes Westward, which causes 5 Hours 15 Minutes difference in Time ; so that when it is Noon-day there, it is a Quarter of an Hour past 5 in the Afternoon in *London*.

The Length of the Island lies nearest East and West, and is accounted to be 180 Miles, and the Breadth, in the broadest Part of it, 45 Miles ; so that its Figure is nearest an Oval. It lies under that which is called the *Torrid-Zone* ; nevertheless

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vertheless the Air is moderately Temperate, occasion'd by the long Absence of the Sun every Night, by the strong Easterly Breezes, which generally blow from 8 or 9 in the Morning to 4 or 5 in the Afternoon, and by the Land-Wind, which is a small cool Breeze that comes off the Shore from all Parts of the Island in the Evening, and blows gently all Night; the Nights are for the most Part fair, and not a Cloud to be seen in the Sky; so that by their Clearness and Coolness they are exceeding Pleasant; the Day-Time is much more hot and troublesome, by Reason of the Sun and the Sea-Winds, which most Days blow very hard. If the Weather be such as is accounted seasonable, it commonly Rains a Shower in the Inland Parts under the Mountains more or less every Day, about 1 or 2 a Clock, from the

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Beginning of *April* to the Beginning of *December*, with a little Thunder and Lightning ; and this makes the Island fertile, especially if accompanied with those they call the general Seasons, which are commonly great Rains in *May* and *October*, that continue Night and Day with small Intermission for 3 or 4, and sometimes 8 or 10 Days together ; but these failing, as sometimes they do, is prejudicial to all Things in the Country : The rest of the Year is for the most Part very fair and delicate Weather, without much Rain, Thunder or Lightning. There are Earthquakes, sometimes two or three in a Year ; but so moderate that they are over before One can be well sensible what they are, and were never known so violent as to do any Harm, but in the Year 1692.

The middle Parts of the Island are very full of Mountains, which
to-

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towards the East End of it are so high, that they are not habitable : These Mountains are for the most Part cover'd with large Timber Trees, of divers Sorts of Wood, fit for Building and several other Uses, as well as bearing many Sorts of Fruits, which maintain great Plenty of Pidgeons, Doves, Parrots, and other Kind of Birds, and also wild Hogs, all very good for Food. Betwixt these Mountains run many Rivers, several whereof by the Acquisition of divers of the smaller Rivulets become large, but few Navigable, by Reason they are for the most Part barred in their falling into the Sea, and many of them sinking in the Ground (when they come into the Low-Lands) before they can reach thither : The Rivers are well stored with Fish, some such as are in *England*, and others Strangers to the *English* Climate;

but very good to eat ; the Sea about the Island plentifully affords Fish of many Sorts, very good, and likewise abounds with Tortoise and Manatee, both pleasant and delicious Food.

The Low - Lands , and plain Grounds, near or under the Mountains, as well as in many Parts upon or within them, are where the People generally inhabit ; there are level Tracts of several Miles in Length and Breadth, like our Meadows full of Grass, called *Savanna's*, (a Name retained from the *Spaniards*) in these are bred great Plenty of Cattle, Sheep, Horses, Asses and Mules, sufficient both for Food and Service : There is also in the Country great Stocks of Hogs, Turkeys, Hens, Geese, Ducks, Pidgeons, Rabbits and divers Kind of Wild-Fowl ; and likewise sufficient Stock of all Sorts of Garden Herbs
and

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and Roots, Pulse and Sallads ; many excellent Fruits, some known in *England*, as Grapes, Lemons, Oranges, Citrons, Pomegranats and Muskmelons, and others proper to that Country, as the celebrated Pine, Shaddocks, &c. That which makes the Fruits of the more Use and Beauty, and the Country thereby the more Pleasant, is, that they (as well as the Leaves on all the Trees) continue all the Year, there being no Winter or Decay, but a continual Spring on several seasonable Showers of Rain ; so that there is nothing wanting in this Island, for a necessary, plentiful, or a delicate Way of Living.

The Towns in the Island, are only *St. Fago de la Vega*, *Port-Royal* and *Kingston*. The first is in the Inland Part of the Country, and seated near the Banks of a fine River on one side, and on the other is

is a large Plain or Savanna of several Miles extent ; it is about 6 Miles by Land from the Harbour that *Port-Royal* and *Kingston* lye upon : It has many fair Houses, and a considerable Inland Trade: It is also the Seat of Government, where are held the Chief Courts of Justice, the Assemblies meet, and all the Records of the Island are kept.

The Town of *Port-Royal*, formerly much larger and very populous, is built on a Key, which before the great Earthquake joyned to an Isthmus of Land that divides the Sea and the Harbour of *Kingston*; the Ground it stands on is about 20 Acres, and cannot be enlarged otherwise than by what with great Labour and Charge can be gained from the Sea, with which it is compass'd ; for the Defence of this Town and its Harbour are two Forts, and a Line of Guns, one of the

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the Forts is mounted with upwards of 100 great Guns.

Within the Harbour, and about 6 Miles from the Town of *Port-Royal*, lyes the Town of *Kingston*; first laid out, and partly settled after the great Earthquake, on the Fire of *Port-Royal* in the Year 1702, whither resorted the most considerable Traders and trading Sort of People; and it is now become greatly encreased, in Houses, Store-Houses, Wharfs, and other Conveniencies for Trade and Business; so that 'tis by much the largest Town in the Island; and if the Island shall encrease in People and new Settlements, (the Consequences of Trade and Riches) it is likely to be much the fairest Town in all the *Indies*, for 'tis most commodiously laid out, happily and beautifully situated, has many spacious Houses in it, and more are daily building, is the Residence of the greatest

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greatest Merchants and Traders, and has resorting to it most of the Ships or Vessels that come to the Island, and in it is managed the chiefest Part of the Trade of *Jamaica*.

To these Towns belong a considerable Number of Sloops, which find very good Employment, in trading and carrying Goods about the Island, or to the Main of *New-Spain, Cuba, &c.* or in *Catching of Tortoise, Manatee, &c.* And besides the Harbours of *Port-Royal* and *Kingston*, this Island has many convenient Ones ; as also several Bays and Roads ; particularly 7 Leagues to the Westward of *Port-Royal* is a good and safe Harbour for Shipping, called *Old-Harbour* ; and more Westerly is *Carlisle-Bay*, a safe Road ; at the West End is *Blew-fields-Bay*, and other good Roads ; and the like is also in the Parishes
of

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of *St. James*, *St. Anne's*, *St. Mary's*; on the North Side of the Island, and in the Parish of *St. George's* the North-East Part, is *Port-Antonio*, a safe and good Harbour, and such another on the South-East Part called *Port-Morant*, besides other good Bays, as *Morant*, *Tellowes*, &c. so that there is no want of Conveniencies for the Importation or Exportation of any Goods, or the Lading or Unlading of Ships or Vessels in any Part of the Country.

The chiefest Commodity that this Island produces or makes, is a Sort of *Muscavado* Sugar, excelling any that is made in any other of the *British* Plantations: It also produces Indigo, Cotton, Ginger, Pimento and other Commodities, and affords divers Sorts of Dying, and other Woods, fit for Cabinets, Tables, &c. And by the Trade with the *Spaniards* are brought into it Pieces of Eight, Gold,

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Gold, Pearl, Emeralds, Cochineal, Castarilla or Jesuits Bark, Sarsaparilla, Cocoa, Hides, and other Commodities, besides Logwood, from the Bays of *Campeachea* and *Hunduras*.

The King is Sovereign Lord of this Island, and in Writs, Commissions, Grants, &c. is stiled King of *Great-Britain*, Lord of *Jamaica*.

After the Restoration of King *Charles* the Second, this Island was put under a Civil Government ; and since that Time has been divided into 17 Parishes, and they into 10 Provinces or Precincts, for its more regular Government in Civil and Military Affairs.

The Government is constituted by a Charter or Commission under the great Seal of *England*, which on Change of Governours is always published, and afterwards recorded, that it may be seen by All :
It

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It contains the Powers granted to the Governours and the Royal Concessions to the People, as calling Assemblies, affirmulating their Laws to those of *England*, &c.

The Governour Commands during the Pleasure of the Crown, and has no Sallary but what is paid in the Island, without Donatives or Presents from Assemblies, &c. under the Title of Captain-General, and Chief Governour, or Lieutenant-Governor and Commander in Chief; and in him is vested by the Crown all Power, Civil, Ecclesiastical or Military, which he is to discharge according to the Laws, and those Powers and Instructions he receives from the Crown, and with the Advice of the Council. On the Governour's Death or Absence, the Council govern, and the first Councillor presides till his Majesty's Pleasure be declared therein.

The

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The Council generally consists of about 12, appointed by the Crown: They inspect the Revenue and give Orders for the issuing it out, and advise in Matters relating to the Government. They think themselves limited by the Law, like the Lords of the Council in *England*, so meddle not with Property, unless it comes by Writ of Error judicially before them, which seldom happens: As the Governour represents the King, so the Council do the House of Lords; for by the Commission and Instructions they are joyned with the Governour and Assembly, in making and repealing all Laws, &c.

The Assembly consists of 37, that is, 3 for each of the Parishes of *St. Catherines*, (in which is *St. Fago de la Vega*) *Port-Royal*, and *Kingston*; and 2 for each of the Parishes of *St. Thomas*, *St. Da-*

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David's, St. Andrew's, St. Thomas in the Vale, St. Dorothy's, Clarendon, Vere, St. Elizabeth's, St. James's, St. Ann's, St. Mary's, St. John's, St. George and Westmorland; and are chosen indifferently by the Freeholders of the several Parishes, by Virtue of Writs issued out of Chancery under the great Seal of the Island, directed to the Provost Marshal, who signifies the Time and Place of Election; there Indents, and afterwards makes a Return, &c. All the Methods and Proceedings of Assemblies are conformable to those of the Parliament of *England*; the Governour has a Negative, and can Prorogue, Dissolve, or Adjourn. The Laws made are generally Municipal, proper only for the Island, and are in Force until rejected, or for what Term the Crown pleases, as may appear by the Manner of passing the first Laws.

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The King, in *Jamaica*, (as in *England*) is Head of the Church ; the Governour, as his Substitute or Chancellor, has the Gift of all Benefices, none of which are worth less than 100 l. and some are worth more than 400 l. *per Annum*. The Clergy have Institution and Induction, by an Instrument under the Great-Seal of the Island, and have Clerks, keep Registers of Marriages, Christnings, Funerals, &c. In the several Parishes, there are Church-Wardens and Vestries, of which the Minister is to be one ; and also Surveyors of Highways, &c. after the Manner of *England*, and as the Laws of the Island direct.

Ecclesiastical Mulctuary Laws are not of Force in *Jamaica* ; for the Crown considering this as a large and fertile Island, to draw People to it, did permit Liberty of Conscience, which has as well been confirmed
by

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by Laws, as by the several Instructions to the Governours : And all Foreigners, upon taking the Oath of Allegiance, may demand a Patent of Naturalization, which shall enfranchise them as Native Inhabitants.

This Island has not only been honoured by the Crown with Arms, and a publick Broad-Seal ; but with a large gilt Mace, which is carried before the Governour on solemn Occasions, and makes the Government appear more great and formal.

The Governours (by a Clause in their Commission) are appointed Chancellors, whose Fees amount to little : The Chancellor has a Clerk under him called, Register or Clerk of the Patents, and Two or more Masters of *Chancery*, that on Occasion sit with him, and administer Oaths to Commissions, Answers, &c. This Court sit every Third *Monday*

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in the Month, and seldom above 3 or 4 Hours.

The Governour is not only Chancellor, but likewise the Bishop's Ordinary and Judge of the Prerogative Court, and in this all Governours have been exceeding careful; the Secretary of the Island has this Office: The Wills are proved before the Governours, as Judge; if no Will, Administration is granted to the next of Kin, or greatest Creditor; and both Executors and Administrators give Security and take an Oath to bring, in a Time limited, an Inventory into this Office, and to Administer faithfully, &c.

Another Office the Governour is invested with is, that of Vice-Admiral; by virtue of which he Constitutes an Admiralty-Court, with Judge, Register, Marshal, Proctors, &c. that proceed according to the
Civil

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Civil and Maritime Laws practised in *England* and *Europe*.

The Governour is not only Vice-Admiral, but generally has a Commission, or Orders, (when no Admiral is present) to Command the Ships of War that are for the Guard of the Island, and can grant Commissions of War against an Enemy, Pirates, &c.

The Militia in this Island is commanded by the Governour, according to the Act of Militia, who are empowered to make Colonels and other Officers, who are to Train and Discipline their respective Men, and take Care that they keep good Arms, well fix'd, and sufficient Stores of Ammunition always by them; and are divided into 10 Regiments of Foot, and as many Troops of Horse that make one Regiment: And for the Defence of the Island, every Man from 16 to 60, is obliged, in Six
b 3 Weeks

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Weeks after Arrival, with intent to settle there, to List himself in what Company of Foot or Horse he pleases ; but having Listed himself, he is not to remove at Pleasure, except he goes to dwell in some other Parish of the Country, and then he must List himself in that Regiment or Troop where he goes to reside. At *Port-Royal*, is a Captain of the Forts, commission'd by the Governour, and a Number of Gunners and Mattrosses, paid out of the Revenue arising in the Island, who lodge in the Forts, and take care of the Guns, Arms, Ammunition, &c.

The Grand Court has a Chief-Justice, commission'd by the Government under the Great-Seal of the Island, whose Sallary is 120 *l. per Annum*, and Four or Six Justices to his Assistants, who have no Sallary, and only serve for Honour,

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nour, and to render their Country Service : This Court is attended by the Marshal, Clerk of the Crown, Coroners, &c. and has a particular Clerk or Prothonotary, and does in its Power and Proceedings resemble the *King's-Bench*, *Common-Pleas*, *Exchequer*, and *Affizes* in *England* ; it is (like the Term) held Quarterly at *St. Jago de la Vega* ; and the manner of holding it, its Fees, Process, as well as Pleadings, &c. appear at large in the ensuing Laws, and Mr. *Hans's* Account of the Island, at the End of this Volume.

In each Province or Precinct, the Colonel or Gentleman of the best Ability or Estate, is the *Custos Rotulorum*, and with other Justices of the Precinct, holds Quarterly a Session for punishing Misdemeanors, and those Crimes that are there Cognizable ; and have Clerks of

b 4 the

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the Peace, Deputy-Marshals, Juries, &c. and there every Thing is determined and regulated by the Laws of *England*, or the Municipal Laws of the Island, for the Peace and good Government of the Precinct.

In each Province or Precinct, is likewise held a Court, this in nature of *Court-Baron* or *Sheriff's-Court*, where the ablest Gentleman is Judge, and has Two of the Justices to be his Assistants, and there very justly and formally, are heard, and determined all Actions, Pleas, &c. arising among the Neighbours in the Precinct, not exceeding 20 *l.* if it does, they take a *Justicias* out of *Chancery*, that, for the People's Ease, is always granted; but nevertheless, by the *Certiorari*, Writ of Error, &c. they may bring Causes out of these Courts into the Grand Court.

In

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In this Island all are enjoined to enrol their Deeds, to prevent fraudulent Conveyances in the Secretary's Office, where the Entries and Dispatch of Ships are made, and Licences to Marry, sell Wine, Tickets of Leave, &c. are granted.

The Provost-Marshal-General, is executive Officer of Justice; he and his Deputies are the Officers that attend the Governour, Council, and Courts of Justice, execute all Writs, &c. and do what High-Sheriffs, Ushers of the Black-Rod, Serjeants, Goalers, &c. do in *England*.

That the Acts of Navigation and Trade may be complied with, the Crown has a Naval Officer in the Island, who remits, twice a Year, all Books, Bonds, Entries, &c. to the Commissioners of the Customs, and keeps likewise an Account of all Ships, Goods, Negroes,

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groes, &c. that come into the Island.

The Crown has a Revenue in this Island arising from Quit-Rents, Fines, Forfeitures, Licences for Taverns, Imposts on Goods, &c. which is gather'd by the Collector or Receiver-General, who pays no Money without a Warrant from the Governour and Council: And it is Enacted in the Act, intituled, *An Act for raising a Revenue to her Majesty, her Heirs, and Successors, for the Support of the Government, and Maintaining and Repairing her Majesty's Fortifications,* ' That such
' Collector, Receiver-General, or
' his Deputy, shall, when, and as
' often as thereunto required by
' the Governour, Council or As-
' sembly, when Sitting, or to any
' Committee of them, or either of
' them, to be appointed, give in
' upon Oath a just and true Ac-
count

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‘ count of the particular Disbursements of all Money arising, or that shall come into his Hands, by virtue of this Act.’ And besides, the Collector or Receiver-General is supervised by a Deputy Auditor, and every half Year an Account passed by him is remitted to the Auditor-General in *England*, to be laid before the Lord-High-Treasurer, or Lords of the Treasury for the Time being, and Lords of the Council; and therefore it seems almost impossible any part of this Revenue should be imbezzled or misapply’d.

The several Offices of Secretary, Provost-Marshal, Register of *Chancery*, Clerks of the *Crown* and Grand Court, Naval Officer and Receiver-General, are held by Patent from the Crown, either for Life, or during Pleasure, and may, by leave of the Crown, as some or most of them are, be executed by Deputies; but

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but the Governours have a Power to suspend any of the said Officers, or of excepting against their Deputies; so they assign their Reasons for so doing to the Crown, until its Pleasure be known thereupon.

The Crown, for the Encouragement of People to go to this Island, with intent to Settle and Plant there, has been graciously pleased to give every Man for himself, Wife, Children, and Servants, and all he brings with him, (or shall at any Time after Import) 30 Acres of Land for every Head, in any part of the Island they themselves shall chuse, not already possess'd by others, they paying only the Charges of the Patent: This passes to the Possessor, or his Heirs and Assigns for ever, by the said Grant in common Soccage; which Patent being enrolled in the Office, is good against the Crown's Claim, or any others, tho the Patent it self should

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should happen to be lost, burnt, or destroyed.

This is, I conceive, a sufficient View of the Island and Government of *Jamaica*, and the Advantages the Planters and Inhabitants enjoy; whereby this Island is much more happy in many Respects, than any other of the *British* Colonies and Plantations: And since by a most gracious Letter of his Majesty (communicated to the Council and Assembly) his Majesty has been pleased to give Assurances of affording it his particular Royal Favour and Protection, it is wholly in the Power of the People to make *Jamaica* the greatest and most flourishing Plantation in the *Indies*, as well as the most beneficial and advantageous one to *Great-Britain*.

Thus I have gone through what was thought a necessary Introduction
to

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to this Volume of Laws ; there are some other Acts passed, which have not yet had the Royal Assent, which together with some useful Things which have been recommended, and are necessary should be passed into Laws, when they are so, and confirmed with the Others, shall be Printed without Delay, if God grant Health and Leisure to

June 23. 1716.

William Wood.

AT



AT THE
Court at *Whitehall*,
The 23d of *February*, 1682.

PRESENT

The King's Most Excellent MAJESTY,

Lord-Keeper.	Earl of Ailesbury.
Lord-President.	Earl of Conway.
Lord-Privy-Seal.	Earl of Nottingham.
Duke of Ormond.	Earl of Rochester.
Duke of Beaufort.	Ld Bishop of London.
Earl of Oxford.	Mr. Secretary Jenkins
Earl of Chesterfield.	Mr. Chancellor of the
Earl of Sunderland.	Exchequer.
Earl of Clarendon.	Lord Chief Justice
Earl of Bath.	Pemberton.
Earl of Craven.	Mr. Godolphin.

WHEREAS by the Powers
given unto Charles Earl of
Carlisle, late Governour in
Chief of the Island of Jamaica, and in
his Absence to the Commander in Chief
there

thereof for the Time then being, Dated the Third Day of November, in the 32d Year of his Majesty's Reign, as also by a Commission unto Sir Thomas Lynch, Knt. now Governour in Chief of the said Island, bearing Date the Sixth Day of August 1681. His Majesty has been graciously pleased to Authorize and Impower the Governour, Council, and Assembly of the said Island, to Constitute and Ordain Laws, which are to continue and be in Force until his Majesty's Pleasure be signified to the contrary. And forasmuch as certain Laws have, in pursuance of the said Powers and Commissions been transmitted unto his Majesty, with the humble Desire of the said Council and Assembly, that his Majesty would be pleased to pass the same in the Words following.

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An Act appointing the Prices of Meats and regulating Markets. p. 213

The foregoing were Passed and confirmed 1695.

An Act for the more speedy collecting his Majesty's Quit-Rents, Fines, Forfeitures, and Amerciaments. Passed 1696. Confirmed 1699. p. 217

An Act for the better Order and Government of Slaves. Passed 1696. Confirmed 1699. p. 225

Act for raising Parties to suppress Rebellious and Run-away Negroes. Pas. 1699. Conf. 1703. p. 257

An Act for confirming and securing Titles to Estates. Passed 1698. Confirmed 1700. p. 262

An Act to oblige the Parishes of St. Catherines and St. Andrews, to build a Bridge over the River Rio Cobre. Pas. 1699. Conf. 1703. p. 265

An Act to make sundry Persons a Body Politick, and Directors for the Bath of St. Thomas the Apostle. Passed 1699. Confirmed 1703. p. 269

An Act appointing Scavengers and regulating Wharfage at Port-Royal. Passed 1699. p. 277

An Act for Erecting and Establishing a Free School in the Parish of St. Andrews. Passed 1694. Confirmed 1699. p. 283

An Act for dividing the Parish of St. Elizabeth into two distinct Parishes, for the Ease of the Inhabitants. Passed 1703. Conf. p. 291

An Act for raising a Revenue to her Majesty, her Heirs and Successors, for the Support of the Government of this Island, and for maintaining and repairing her Majesty's Forts and Fortifications. Passed 1703. Confirmed 1704. p. 294

An Act to encourage the Importation of white Men. Passed . Confirmed p. 314

An Act for ascertaining, establishing and more speedy collecting her Majesty's Quit Rents. Passed 1703. Confirmed p. 324

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- An Act to prohibit the keeping any Quantities of Gunpowder on Port-Royal, for the better Regulating and Security of the said Town, and to enable the Freeholders to choose Churchwardens, Vestrymen, and other Parochial Officers, altho the Time for doing thereof be elapsed already. Passed 1704. Confirmed 1707. p. 341
- An Act for making a new Road from St. Thomas in the East, to St. Andrews. Passed 1705. Confirmed 1707. p. 347
- An Act for making and keeping clear a publick Road from Clarendon to St Elizabeths, over One Eye Savanna. Pas. 1705. Conf. 1707. p. 350
- An Act for establishing Courts at Kingston, and exempting Packet-Boats from the Duty of Gunpowder. Passed 1705. Confirmed 1707. p. 360
- An Act for the Encouragement of good and able Ministers to come to this Island. Pas. 1706-7. Confirmed 1707. p. 362
- An Act for the further Encouragement of Parties, and more speedy Reduction of Rebellious and Run-away Slaves. Passed 1706-7. Conf. 1707. p. 367
- An Act for the further and better securing Port-Royal. Passed 1709. confirmed 1710. p. 382
- An Act appointing Way-Wardens, regulating Wharfage and buoying out the Channel between Port-Royal and Kingston. Passed 1709. Confirmed 1710. p. 385
- An Act for regulating Fees. Passed 1711. Confirmed 1715. p. 394
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- An Act for the more effectual raising Parties to pursue and destroy rebellious and run-away Slaves. Passed 1702. Confirmed p. 435



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Appointing the Number of the Assembly.

BE it Enacted and Ordained
by the Governour, Council,
and Assembly, and it is here-
by Enacted by the Authority
of the same, that in every
Assembly hereafter to be called by His
Majesties Writs, and held within this
Island, there be Chosen Three Repre-
B sentatives

representatives for the Parish of *St Catharines*, the like number for the Parish of *Port Royal*, and Two for each other of the respective Parishes that now are, or hereafter shall be in this Island; and that the Provost Marshal, or his Lawful Deputy, give to every Person Elected, within ten Days after his Election, notice that he is so Elected.

Provided Always, that every Person Elected shall be a Free-holder in this Island, and that none have Right to Vote in any Election, but those that are Free-holders in the same Parish where the Election is to be made.

An A C T

For Regulating Servants.

BE it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, That all and every Master or Masters of Slaves, for the first five Working Slaves, shall be Obligated to keep one White Man Servant, Over-seer or Hired Man for Three Months

Months at least ; and if the Number increase to Ten, Two; and for every Ten after the first, One, to be Resident in the Plantation, where the Negroes are employed ; and if any shall be wanting for the space of six Months of the proportion aforesaid, he, she, or they for every Servant so wanting, shall forfeit five pounds to the Use of the Parish where such Default shall be made, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record in this Island.

And it is further Enacted and Ordained by the Authority aforesaid, That all Masters, Mistresses, or Over-seers of Slaves, who shall not truly inform the Constable or Constables, within their several Precincts, when thereunto requir'd, of all such Hired Men, or Servants, and Working Slaves, as shall justly and truly belong unto them, or under their Care, shall forfeit the Sum of Twenty Pounds, to be Recovered by Bill, Complaint, or Information in any Court of Record within this Island, where no Essoign, Protection, or Wager of Law shall be allow'd; one Third of which Penalty shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this

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Island,

Island, and the Contingent Charges thereof; one Third to the Church-Wardens of the Parish where the Offence shall be Committed, for the Use of the said Parish; and the other Third to the Informer, or he that shall sue for the same. And whatever Constable or Constables shall neglect his or their Duty herein, by not demanding an Account every six Months, and returning the same unto the Justices sitting at the next Quarter-Sessions of that Precinct, which they are hereby required to do, shall for every such Default forfeit the like Sum of Twenty Pounds, to be Recovered and applyed in manner and form aforesaid.

That all Servants shall have according to their Contract and Indenture; and where there is no Contract, or Indenture, Servants under Eighteen Years of Age at their Arrival in this Island, shall serve Seven Years, and Above Eighteen Years of Age, shall serve Four Years, and all Convicted Felons, for the time of their Banishment; and at the Expiration of the Times aforesaid, shall receive from their last Master, Mistress, or Employer Forty Shillings, and a Certificate of their Freedom upon Demand; and whosoever shall refuse, without just Cause

Cause, to give such Certificate to Servant, Artificer, or Labourer, whose Time is expired, or Contract performed, shall forfeit Forty Shillings for every such Refusal.

And whosoever shall Employ any Free Person without a Certificate from the last Employer, of the Performance of his or their last Bargain or Contract, shall forfeit Ten Pounds.

That no Person or Persons presume to Trade with any Servant or Slave without the Master or Mistresses Consent, on Penalty of forfeiting to the Master or Mistress of such Servant or Slave, treble the value of the things Traded for, Bought, or Sold, and also Ten Pounds Currant Money of this Island, to be recovered by such Master or Mistress by Action of Debt in any Court of Record; and all Contracts made with Servants or Slaves to be utterly void.

That if any Servant or Hired Labourer shall lay violent Hands upon his or her Employer, Over-seer, or other Person put in Authority over him or her, such Servant or Labourer shall for such Offence Serve his or her Employer without any Wages twelve Months, by Order of any Justice of the Peace on Conviction.

That by the like Order and Conviction on any Overseer or Artificer, Hired Labourer or Servant, that shall embezel, purloin, make away, or waſt any of his or her Employers Money, Goods or Chattels, not exceeding the value of Forty Shillings, ſhall ſerve or make Satisfaction, according to the Diſcretion of any one of his Majesties Juſtices of the Peace; and if above the value of Forty Shillings, to ſerve two Years by the like Order without any Wages, and be further liable, in caſe that Time will not ſatisfie; and if any ſuch Perſon as aforeſaid ſhall embezel, purloin, or make away any Money, Goods or Chattels of any others than their Maſters, Miſtreſſes, or Employers, they ſhall incur the ſame Penalty, and ſerve the Party injured as aforeſaid, after their Time expired with their Maſters or Miſtreſſes.

And be it further Enacted by Authority aforeſaid, That if any Freeman of this Iſland ſhall at any time hereafter beget a Woman-Servant with Child, he ſhall (upon due Proof thereof made, which Proof ſhall be by the Oath of the ſaid Woman, as in other Caſes of Baſtardy) give good ſecurity to ſave the Pariſh harmleſs; and as a further Punishment

ment for his Offence, and for and towards Satisfaction of the Master or Mistress of such Servant, shall forfeit and pay unto the said Master and Mistress the full Sum of Twenty Pounds Currant Money of this Island, and shall likewise provide for the Maintenance of the said Servant and Child; and in case of failure herein, shall serve the Master or Mistress of such Servant, double the time that she had to serve at the time of the Offence committed, or shall procure one in his or their stead, that shall be obliged so to do. And in case one Servant shall beget another with Child, then the Man-Servant shall, after the Expiration of his Term, serve the Master or Mistress of the Woman-Servant, double the time she had to serve, at the time of the Offence committed.

That any Man-Servant Marrying without the Masters or Mistresses Consent, shall serve two Years for such Offence; but if any Freeman shall Marry a Servant, he shall be liable to pay the Master or Mistress Twenty Pounds, and she shall be free.

That all Suits between Servants and their Masters or Mistresses relating to their Freedom, shall be heard and determined by any two Justices of the Peace without

any Appeal; and if any Servants absent themselves from their Masters or Mistresses Service without Leave, or Ticket from their Master, Mistress or Overseer, shall for every such Days Absence, serve one Week, and so in proportion for a longer or shorter time, the whole Punishment not to exceed Three Years.

That if any Person shall turn away any Sick or Infirm Servant, under pretence of Freedom, or otherwise, and such Servant shall die for want of Relief, or become Chargeable to any Parish, the Offender shall forfeit Twenty Pounds of Currant Money of this Island, to the Use of the Parish where such Death or Charges shall happen, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record, unless the Party Offending shall pay the same, and also receive the said Servant, if Living, and him to maintain during the whole time the said Servant had to serve. But if any Servant, through wilful Misbehaviour, shall happen to have the *French P O X*, *Taws*, or any other Disease, broken Bones, Bruises, Sicknes, Impediment, or Imprisonment, he or she shall serve their Masters or Mistresses double the Time thereby neglected, and also for all Charges

Charges occasioned by reason thereof, at Ten Shillings *per* Month, after their time by Indenture or otherwise be expired; and also Masters or Mistresses of Servants, who shall receive unjust Molestation by Complaints or Suits of Law, shall have the same Remedy for their Expences and Loss of Time.

That no Servant be Whipt Naked without Order of a Justice of Peace, upon Penalty of Five Pounds, to be Recovered by the Party Injured by Action of Debt in any Court of Record. And whosoever shall not give to each White Servant Weekly, four Pounds of good Flesh, or four Pounds of good Fish, together with such convenient Plantation Provision, as may be sufficient, shall forfeit to the Party Injured Ten Shillings for each Offence. And whosoever shall not Yearly give to each Servant three Shirts, three pair of Drawers, three pair of Shoes, three pair of Stockings, and one Hat or Cap, and to the Woman proportionably, shall forfeit to the Party Injured Forty Shillings.

That no Master, Mistress, or Overseer shall cause or suffer any Christian Servant to be Buried or Interred, until the Body of such Servants shall be viewed by a Justice of the Peace, Constable or Tything-

thing-Man, or by two such Neighbours, as the said Justice, Constable, or Tything-Man shall choose and appoint, on Penalty of Twenty Pounds Currant Money of this Island, unless such Person died Ten Miles from the Dwelling of a Justice, Constable, or Tithing-Man, and hath been viewed by two of the next Neighbours, and in default of Neighbours, by two of the same Family, or that the said Justice, Constable, Tything-Man or Neighbours have not within six Hours after Notice given, come to view the Dead Body; and whosoever upon Notice given, and Request made to view such Dead, shall not within four Hours after such Notice repair to the view, or on the view finding any suspicious Tokens of the Bodies unlawful Death, shall not forthwith give Notice to the Coroner, or in Default of a Coroner of that Parish, to the next Justice of the Peace, shall forfeit Ten Pounds, which Justice, in such Cases, is hereby impowered to act as a Coroner.

That whosoever shall entertain a Servant, knowing the same to be so, shall shall forfeit for every Day and Night after the first, five Pounds; and not knowing him to be a Servant, Twenty Shillings for every Day and Night after the first,

first, so that the whole exceed not treble the value of the Servants time remaining to be served with the Master or Mistress. *Provided*, that this Clause extend not to Servants, by contract made in this Island, but such as are attested by a Justice of the Peace, nor to such as entertain any as bring a Certificate of their Freedom, attested under the Name of a Justice of the Peace, though the same be false and forged, or for any other Person whose Name the Bringer personateth, but such forger, falsifier, personater, or bringer, and every one of them shall be set in the Pillory, and lose his Ears on Conviction thereof in the Supream Court of Judicature; But whosoever shall entertain a Servant any time, if the said Servant shall be Drunk, Trade or Game during the said Time, shall forfeit the Sum of Twenty Shillings, the one half to the Parish where the Offence shall be committed, and the other half to the Informer, to be levied by a Warrant from any Justice of the Peace. And also if a Servant or Hired Labourer shall be guilty of hiding or entertaining any Person's Servant or Slave, he shall forfeit one Years Service to the Master or Mistress of such Servant or Slave, or receive Thirty Nine Lashes on

on the Naked Back at the Election of the Party Injured, to be ordered by any Justice of the Peace to any Constable in the Precincts.

That no Person shall Ride, Load or Carry on his Employers Horses, Cattle, Carts, and Carriages (or willingly suffer the same to be done) any goods or thing whatsoever, other than the Masters or Mistresses, without such Master or Mistresses Consent, on Penalty of Three Months Service for each and every such Default.

And all Constables and Tything-Men are to be diligent in Apprehending and Searching for Runaways, on Penalty of Twenty Pounds for every Neglect, and upon the Apprehending of Runaways, if the Master or Mistress be known, the the Servant shall be carryed to the Masters or Mistresses nearest home, on Penalty of Forty Shillings; if not known, to the next common Gaol, and the bringer to receive of Master, Mistress, or Goal-er, eight Pence *per* Mile, so as the whole exceed not Forty Shillings, which said Goal-er is hereby impowered and commanded to receive such Runaway or Runaways, and to pay unto the bringer eight Pence *per* Mile as aforesaid, for every such Runaway so brought to him, on Penalty of
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of Forty Shillings; and that it shall and may be Lawful for the Marshal to detain and keep in Custody the Bodies of all such Runaways so brought unto him, until the Master or Mistrefs of them, or their Assigns, shall pay unto him the full Sum of what he hath so paid for them, with Two Shillings six Pence *per* Pound for laying out the Money, and so proportionably, and also six pence for every Twenty Four Hours the said Runaway hath been in his Custody; and if the said Marshal shall suffer any Runaway so brought to him to escape, before he be duly delivered to his Master or Mistrefs or his or her Assigns, that then the said Marshal shall pay unto the Master or Mistrefs of the said Runaway, so much as he shall be Condemned in by the Verdict of a Jury at Common Law; also any one may take up any suspected Persons, and carry him or her to any Justice to be examined.

That the Captain, or any other Commission-Officer, shall at the Head of every respective Company and Troop, Publish, or cause to be Published this present Act once every Twelve Months, under the Penalty of five Pounds.

Provided also, That the several Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they shall be Recovered, and how Disposed of, be one Moyety to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island and Contingent Charges thereof; the other to the Informer, to be Recovered by Action of Debt, (if not exceeding Forty Shillings) as all Penalties of Service, before any Justice of the Peace, and if above Forty Shillings, and not for Service, in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

And be it further provided, That no Person or Persons shall be sued, molested, or troubled for any Fine or Forfeiture against this present Act, unless the Party so Offending shall be sued or impleaded for the same within two Years at the most after the said Offence shall be committed.

An A C T

For the High-ways.

FOR the better amending and keeping clear the Common High-Ways, and known broad Paths within this Island, leading to Church and Market, and for laying out new High-Ways, and turning old High-Ways, where it shall be needful, be it Enacted and Ordained by the Governour, and Council, and Assembly, and it is hereby Enacted and Ordained by the Authority of the same, that the Vestry of each Parish, or the Major part of them, shall, on every third *Monday* in *January* before Noon, at their Parish Church, or other convenient Place, choose four or more Freeholders, each seized of at least Thirty Acres Freehold in Right of himself or Wife, to be Surveyors for the Year ensuing; if the Vestry neglects, each Person absent or negligent shall forfeit Forty Shillings, and the Justices at their next Sessions being informed thereof, shall appoint four or more such Surveyors as aforesaid; every Person so Chosen or Appointed shall within Ten Days (due Notice being given him by the

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the Clerk of the Vestry) procure himself to be Sworn before some Justice in the said Parish, Diligently and Faithfully to perform the said Office for the Year ensuing, and give a just Account to the Justices and Vestry (if required) of what he shall receive, pay, or do, by virtue of his Office, on Penalty of Ten Pounds Sterling.

That the Surveyors being Sworn as aforesaid, shall within sixteen Days after their having viewed and considered the High-Ways and Bridges, inform the Justices and Vestry of the Defects, Wants, and Alterations needful in the same, to the end (as they are hereby empowered) the said Justices and Vestry may lay a Tax of such Money, Labour, or other things, as to them shall seem convenient and necessary; which if the Justices and Vestry shall not do before the last Day of *February* in each Year, then such said Surveyor shall make such Tax in Writing, which being Confirmed by any two Justices in the said Parish, shall stand good till some Complaint be made at the Quarter Sessions in that Parish, and the Justices then and there to confirm or alter the same without Appeal from thence.

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such Gates or Fences, any thing herein seeming to the contrary notwithstanding. But if any Person shall again erect, or cause any Nufance, in the High-ways, which was by the Surveyor removed, for such Offence he or they shall forfeit five Pounds.

And in Case where a new Path or Road is wanting, or where old Ways may with more Conveniency be turned or altered, or where to some Plantation or Plantations no High-Ways are yet laid out, to lead them into the high Roads which go towards the Market or Church, or to any convenient Harbour or Landing-Place, fitting for receiving a Shoar or Shipping off any Goods, upon Notice thereof given to any Justice of the Peace, he shall on request issue his Warrant to the next Constable in the said Parish to Summon a Jury to meet at some convenient Place and Day, therein to be mentioned, to view and lay out, or alter such Paths or Roads; which said Justice is hereby impowered to administer an Oath to the said Jury, that according to the best of their Skills and Judgments, and with most Conveniency to the Publick, and least Prejudice or Damage to any particular Person, they will
lay

lay out such Way; which having done, the Surveyor is to make Return thereof to the Justices at the next Quarter-Sessions of the Parish, where the same Way is, as well under his own, as the Hand of the Jurors, by whose Oath the same is laid out, to the end the same may be there Filed, or Recorded, and after known for a Publick High-Way. And if the said Surveyor shall neglect his Duty therein, he shall forfeit Twenty Pounds. And be it further Enacted, That every Vestry, with consent of the Justices, may agree for two Years with particular Persons for their parts and proportion of the Ways by them to be cleared, as also with the Surveyors, what part of the Parish they shall look after, and such Agreements shall discharge the Parties from other Duties, than what is agreed for; as also the Surveyor from looking after any other part than what is allotted him; and such Justices and Vestry-Men are to Record all their doings touching the Ways in the Vestry-Book: which Record in all places shall be deemed good Evidence.

And the said Surveyors may respectively issue their Warrants to the Constable or Tything-Men to warn in Workers,

or to levy Money according to the Tax or Rate made as aforesaid; and whosoever shall fail to send in his proportion of Workers, with such Tools as shall be convenient, shall for every Head pay three Shillings *per* Day upon Conviction, to be Recovered before any Justice of the Peace by the Surveyor.

And if any Justice neglect his Duty touching the Premises or any part thereof, he shall forfeit Ten Pounds, and every Vestry-Man, Surveyor, Constable, Tything-Man, Juror, or Clerk of the Vestry, who shall neglect his or their Duty, where no Penalty is before set, shall respectively forfeit five Pounds for each Offence.

All which said Forfeitures shall be to the Use of the High-Ways, and if not exceeding Forty Shillings, to be Recovered by Action of Debt before any Justice of the Peace; if above Forty Shillings, in any Court of Record where no Essoign, Protection, or Wager of Law shall be allowed.

An A C T

Appointing the Prices of Meat.

BE it Enacted and Ordained by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, That no Person or Persons upon any pretence whatsoever shall presume to ask, demand, and receive for fresh Beef, Mutton, or Goat, any more, greater or higher rate or price, than hereafter is mentioned, *viz.* For fresh Beef or Goat four pence *per* Pound, and Mutton six pence, to be weighed without the Heads, Entrails, or Feet, and that the Sewet be sold at no higher Rates than the Meats aforesaid, under Penalty of forfeiting Twenty Pounds Currant Money of this Island, for every time they shall take, ask, or receive any higher Price. And if any Person or Persons shall refuse to sell any Beef, Mutton or Goat by weight, he or they for every such Offence shall forfeit Twenty Pounds Currant Money of this Island.

And be it further Enacted by the Authority aforesaid, that any Person whatsoever that shall destroy any Turtle Nests,

or take away any of the Eggs thereof, upon any Bay or Place within this Island, where the Turtle shall lay, shall forfeit Forty Shillings Currant Money of this Island, or receive so many Lashes on the bare Back, as any Justice shall order, not exceeding Nine and Thirty for every such Offence,

The one third part of all the aforesaid Penal Sums of Money shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges thereof, one Third to the Church-Wardens for the Use of the Parish, the other Third to the Informer, to be Recovered in any Court of Record within this Island by Bill, Complaint or Information, in which no Essoign, Wager of Law, or Protection shall be allowed.



An A C T

Against Blasphemy, and for preventing Disorders in Alc-Houses, Taverns and Victualling-Houses.

BE it enacted and ordained by the Governour, Council, and Assembly, and it is enacted and ordained by the Authority of the same, That no Person or Persons whatsoever in this Island be enabled to have and receive any Licence or Licences from the Governour for the time being, to Retail any strong Liquors, unless they bring Yearly Certificates under the Hands of two of the Justices of the Peace living in the same Precincts, where the same Person keeps, or intends to set up his House of Entertainment, and have also given good Security in the Secretaries Office of One hundred Pounds, that he shall suffer no Disorders to be committed in his said House, or any thing there done contrary to the Laws of *England*, or of this Island, and that no Persons whatsoever presume to sell Rum or Rum-Punch or any other Mixture of

Rum, without Licence first obtain'd from the Justices in Sessions, and Security given to the Clerk of the Peace of the said Precincts, under the Penalty of Forty Shillings for every such Offence.

Provided always, and it is hereby farther enacted and ordained, That whatsoever Person so Licenced as aforesaid, shall entertain or receive any One in their Houses, to Tipple or Drink in the Time of *Divine Worship* or *Service*, shall forfeit Twenty Shillings for every such Offence, and the Person or Persons there so found, shall pay each of them Five Shillings, both which Forfeitures shall be levy'd by Distress, by Warrant from any Justice of the Peace within this Island; and whosoever shall by publick and open Profaneness or Blasphemy dishonour Almighty God, and be thereof duly convicted in the Supream Court of Judicature, shall be fined Twenty Pounds Current Money of this Island, or more, at the Discretion of the Court for every such Offence, and that such as are either Servants or not worth so much, shall be liable to such Corporal Punishment, as the Judges shall think meet, loss of Life and Limb only excepted.

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And it is farther enacted, That if any of the said Persons, so having received Licences as aforesaid, shall keep or suffer any common Gaming in their Houses, they shall forfeit Ten Pounds Currant Money of this Island; and whosoever shall by false Dice or other Fraud or Deceit win any Money or other Things, shall forfeit treble the Value thereof, being convicted by Verdict, Confession, or otherwise, and that no Sum exceeding Forty Shillings won at any Game, or Betting on the Side of any, shall be recoverable, and all Bonds, Contracts, and Securities whatsoever for above the Sum aforesaid, won as aforesaid, shall be void. *Provided* nevertheless, that nothing herein contained shall be deemed or construed to hinder or abridge any Maker of Rum, but that by himself, Servants or others, he may vend and sell the same pure and unmixt, any thing in this Act to the contrary in any wise notwithstanding.

Provided also, That the aforesaid Penalties mention'd in this Act, and not declared where they shall be recovered, or how disposed of, be one Half to our Sovereign Lord the King, for and towards the Support of the Government of

of this Island, and the contingent Charges thereof, the other to the Informer, who shall sue for the same in any Court of Record within this Island, wherein no Essoign, Protection, Injunction, or Wager of Law shall be allowed.

An A C T

Impowering Justices of the Peace to decide Differences not exceeding Forty Shillings.

W *Hereas* many Inconveniencies may arise unto the Inhabitants of this Island by being vexed and troubled with Suits at Law for small and trivial Injuries, Debts, and Trespases, wherein the accustomed Fees and Charges usually exceed the Original Debt and Damages; for Prevention whereof, Be it enacted and ordained by the Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That all Manner of Debts, Trespases, and other Matters, not exceeding the Value of Forty Shillings, wherein the Tythes of Lands are not concerned, shall

shall and may be heard, adjudged, and determined by any of his Majesty's Justices of the Peace of this Island, within their respective Precincts without Appeal; which said Justices are hereby required upon Complaint made, to grant a Warrant or Summons against the Person complain'd of, thereby requiring him to appear and answer the said Complaint, and in Case of Non-appearance, to issue out a Warrant of Contempt directed to the Constable to bring the Contemnor before him, as well to Answer the said Contempt, as the Plaintiff's Action, and may if he see Cause Fine the Contemnor, provided the said Fine exceed not Ten Shillings, to be for the Use of the Parish where such Offence shall be committed, and after Judgment given in either Case, may grant a Warrant of Distress directed to the Constable, to levy the said Fine, Debt, Damages and Charges upon the Defendants Goods and Chattels, who by Virtue thereof shall expose the same to Sale, returning the Overplus, if any be, to the Defendant, and for want of such Distress, to take the Defendants Body into Custody, and him carry and convey to the common Goal of the Precincts,

cincts, there to remain till he shall have satisfied the said Debt and Charges; and it shall be lawful for the Justice of Peace to receive for each Warrant One Shilling and Three Pence, and no more, and for the Constable for Serving of each Warrant the like Sum, together with Six Pence for each Mile he shall be compell'd to travel in Execution of the Premises, provided the Whole exceed not Five Shillings; and the Justice is hereby required to keep a Record of all such Proceedings, under the Penalty of Ten Shillings, the one Half to be for the Poor of the Parish, and the other Half to the Informer, to be recover'd as aforesaid.

And whereas the Uncertainty of the Expiration of Laws heretofore made for the better Government of this his Majesty's Island, may hereafter create some Doubts and Disputes concerning the Validity of the several Judgments made and given by the several Judges and Justices of the Peace within this Island, as also all the Proceedings of the military Officers upon the same; for Prevention whereof, Be it farther enacted and ordained by the Authority aforesaid, That all and every Judgment and Judgments

ments made or given by any of the Judges or Justices of the Peace within this his Majesty's Island, upon or by Virtue of any of the aforesaid Laws, and all other Proceedings whatsoever, and all and every Act or Acts, Thing or Things done or acted thereupon, are hereby ratified, confirmed and adjudged Valid and Lawful to all Intents and Purposes whatsoever; and all and every Judge and Judges of the several Courts, the several Justices of the Peace, the military Officers, and all other Persons whatsoever within this his Majesty's Island, that have any ways acted by or under the Authority of the aforesaid Laws, or any of them, are hereby for ever saved and kept harmless, and indemnified against all Manner of Persons whatsoever; and if any Person shall be sued or any ways molested by Reason thereof, it shall be lawful for him or them so sued or molested to plead the general Issue, and give this Act in Evidence, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

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An A C T

Rating Liquors Sold by Retail.

BE it enacted and ordained by the Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That from and after Publication hereof, all Vintners and Tavern-keepers; or any other Person or Persons who do or shall utter or sell by Way of Retail *Madera* Wines or Brandy, and shall presume by any Means directly or indirectly to take or receive above the Rates hereafter mention'd for the aforesaid Liquors, *viz.* For *Madera* Wine Fifteen Pence the Quart, and Brandy two Shillings and Six Pence the Quart, and so proportionably for a greater or lesser Quantity, shall forfeit the Sum of Forty Shillings for every such Offence, to be levy'd by Warrant from any of his Majesty's Justices of the Peace of the Precincts where the Fault is committed, on the Goods and Chattels of any Person or Persons so Offending, the one Half of which Forfeiture shall be to the Church-Wardens for the Use of the Parish, the other to the Informer, any Law,

Law, Custom, or Usage to the contrary notwithstanding.

An A C T

For the Restraining and Punishing Privateers and Pirates.

W*Hereas* nothing can more contribute to his Sacred Majesty's Honour, than that such Articles as are concluded and agreed on in all Treaties of Peace, should by all his Majesty's Subjects, according to their Duty, be most inviolably preserved and kept, in and over all his Majesty's Dominions and Territories; and whereas not only against such Treaties of Peace made by his Majesty with his Allies, but also contrary to his Majesty's Royal Proclamation, several of his Subjects have and do continually go off from this his Majesty's Island of *Jamaica* into foreign Princes Services, and Sail under their Commissions, contrary to their Duty and good Allegiance, and by fair Means cannot be restrained from so doing.

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Be it therefore enacted by the Governour, Council, and Assembly, and it is hereby enacted by the Authority of the same, That from and after Publication hereof, it shall be Felony for any Person which now doth, or within four Years last past heretofore hath, or hereafter shall inhabit or belong to this Island, to serve in *America* in an hostile Manner, under any foreign Prince, State, or Potentate, or any employed under any of them against any other foreign Prince, State, or Potentate, in Amity with his Majesty of *Great-Britain*, without special Licence for so doing, under the Hand and Seal of the Governour or Commander in Chief of this Island for the Time being; and that all and every such Offender, or Offenders contrary to the true Intent of this Act, being thereof duly convicted in his Majesty's supream Court of Judicature within this Island, to which Court Authority is hereby given to hear and to determine the same, as other Cases of Felony, shall suffer Pains of Death without Benefit of the Clergy.

Provided nevertheless, That this Act, nor any thing therein contained, shall extend to any Person or Persons, which now are, or have been in the Service
or

or Employment of any foreign Prince, State, or Potentate whatsoever, that shall return to this Island, and leave and desert such Service and Employment before the First Day of *January* next ensuing, rendering themselves to the Governour or Commander in Chief for the Time being, and give him such Security as he shall appoint for their future good Behaviour, and also that they shall not depart this Island without the Governours Ticket.

And for the better and more speedy Execution of Justice upon such, who have committed Treason, Piracies, Felonies, and other Offences upon the Sea, shall be apprehended in, or brought Prisoners to this Island, Be it farther enacted by the Authority aforesaid, That all Treasons, Felonies, Piracies, Robberies, Murthers, or Confederacies committed, or that hereafter shall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Jurisdiction, shall be inquired, tryed, heard, determined, and judged within this Island, in such like Form, as if such Offence had been committed in and upon the Land; and to that End and Purpose Commissions shall be

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had under the King's Great Seal of this Island, directed to the Judge or Judges of the Admiralty of this Island for the Time being, and to such other substantial Persons, as by his Majesty's Governor or Commander in Chief of this Island, for the Time being, shall be named or appointed; which said Commissioners or such a *Quorum* of them, as by such Commission shall be thereunto authorized, shall have full Power to do all Things in and about the Inquiry, Hearing, Determining, Adjudging and Punishing of any of the Crimes and Offences aforesaid, as any Commissioners to be appointed by Commission under the Great Seal of *England*, by Virtue of a Statute made in the Twenty Eighth Year of the Reign of King *Henry* the Eighth, are impowred to do and execute within the Kingdom of *England*; and that the said Offenders, which are, or shall be apprehended in, or brought Prisoners to this Island, shall be liable to such Order, Process, Judgments, and Execution, by Virtue of such Commission to be grounded upon this Act, as might be awarded or given against them, if they were proceeded against within the Realm of *England*, by Virtue of any Commission grounded upon the said Statute.

And

And all Tryals heretofore had against such Criminal or Criminals before any Judge or Judges by Virtue of such Commission or Authority at any Time heretofore granted, and all Proceedings thereupon, are hereby ratified, confirmed and adjudged lawful, and all such Judges, with all and every the inferior Officers, that have acted thereby, are hereby indemnified to all Intents and Purposes whatsoever; and in Case they, or any of them, shall at any Time hereafter be sued, vexed, molested or troubled for any such their Proceedings as aforesaid, he or they so sued, vexed, or molested, shall plead the general Issue and give this Act in Evidence, any Law, Statute, Custom or Usage to the contrary in any wise notwithstanding.

Be it farther enacted by the Authority aforesaid, That all Commission-Officers, in their several Precincts within this Island, are hereby required and empowered upon his or their knowledge or Notice given, That any Privateers, Pirates or other Persons suspected to be upon any unlawful Design, are in any place within their respected Precincts, to raise and levy such a Number of well

Armed Men, as he or they shall think needful for the Seizing, Apprehending and carrying to Gaol all and every such Person or Persons; and in case of any Resistance or Refusal to yield Obedience to his Majesties Authority, it shall be Lawful to kill or destroy such Person or Persons; and all and every Person or Persons that shall Oppose or Resist, by Striking or Firing upon any of the Commanded Parties, shall be deemed, taken, and adjudged as Felons without Benefit of the Clergy; and every such Officer that shall omit or neglect his Duty herein, shall forfeit Fifty Pounds Currant Money of this Island for every such Offence, to be Recovered in any of his Majesties Courts of Record within this Island, by Bill, Complaint, or Information, wherein no Essoign, Wager of Law, or Protection shall be allowed; one Moyety thereof to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, and the other Moyety to the Informer; and all and every Person or Persons, that upon Orders given him or them shall refuse to repair immediately with his or their Arms well fixed, and
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Ammunition, to such Place or Places as shall be appointed by the said Officer, and not readily obey his Commands in the Execution of the Premises, shall be liable to such Fine or Corporal Punishment, as by a Regimental Court Marshal shall be thought fit.

Provided farther, That the Governor's Assent to the Passing of this or any other Act, shall not extend, or be construed to extend to the Determining of this present Sessions of the Assembly.

An A C T

Ascertaining the Quit-Rents and Manner of Receipt thereof.

BE it enacted and ordained by the Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That a Patent sealed under the Great Seal of this Island, and recorded in the Office of Inrolments established in this Island, shall Evidence the Patentee or Patentees just Right and Title to all and every parcel of Lands, House or Houses, Tenements or other
D 3 Things

Things in the said Patent granted, and be a good Bar to the Right and Title of his Majesty, his Heirs and Successors: And to the End his Majesties Grants may not be hindred, delayed, or obstructed, the Keeper of the Seal, or Chancellor for the Time being, shall and is hereby obliged the next *Tuesdaay* before each Grand Court to cause all such Grants and Patents, as are in Office, to be sealed at *St. Jago de la Vega*, and all inferiour Officers, who are concerned in drawing and passing the same, are then and there likewise to be ready to do their Duty.

And forasmuch as all Titles of Land are derived from his Majesty, and the Land hath been laid out, and Patents made by his Majesties Officers, in which many Errors or Mistakes may have happened which according to the strict Rules of Law, might make many Grants void in All, or in Part; Be it therefore enacted by the Authority aforesaid, That all Lands granted, or hereafter to be granted by his Majesty, his Heirs or Successors, upon Surveys made or to be made, be for ever good to the Patentee, and to those to whom the Right of the Patentee shall come, for all Lands comprized

prized within the Survey or Bounds, any Misnomer, Misbounding or Mistaking of Quantity, or other Error notwithstanding, against his Majesty, his Heirs and Successors, or any other Person or Persons claiming under him or them for ever; and that all such Grants shall be taken as strongly against his Majesty, his Heirs and Successors, as the Grants of any other Person or Persons should or ought to be taken against him or them, or his or their Heirs or Assigns. *Provided nevertheless*, and be it farther enacted by the Authority aforesaid, That where either his Majesty or the Patentee are aggrieved by Mistake in Quantity, a Re-survey shall be made, by One Surveyor indifferently Sworn between the King and Patentee, or who claimeth in his Right, before any of his Majesties Justices of the Peace, upon which Re-survey a Confirmation of the former Grant shall issue under the Seal of this Island reciting the Error, and reserving for the future the same Rent mentioned in the said Grant according to the just Quantity found by such Re-survey, for which Confirmation the Chancellor shall receive Ten Shillings, and the Clerk of the Patents Eight

D 4 Shillings,

Shillings, and no more, to be paid as all other Charges of the said Re-survey by the Party requiring the same, but no Retrospect shall be had to what Rent ought to have been paid, be the Quantity more or less, any Thing in this Act contained to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That if any Dispute shall ever arise upon any Survey, wherein the Survey or Plot given into the Patent-Office shall vary from the real Run and marked Lines, in all such Disputes the Judges before whom the same shall happen, shall adjudge the real Run and marked Lines, which are proved before them to be Run and marked, to be the Bounds of the Lands granted, any Law, Custom, or Usage to the contrary notwithstanding.

And whereas there have been Uncertainties and Disputes in the Payment of his Majesties Quit-Rents reserved in the Patents formerly granted, by Reason of the Words, manured and planted; and whereas his said Majesty has been and now is graciously pleased, that whatsoever shall arise from the Quit-Rents, shall be applied towards the Support of the
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the Government, and defraying the contingent Charges of this Island; in Consideration whereof, and to ascertain the same, Be it enacted and ordained by the Authority aforesaid, That every Parcel or Parcels of Land, of what Nature and Quality soever, granted and patented before the Twenty fifth Day of *June*, One Thousand Six Hundred Seventy and One, shall for Arrears and growing Rents pay for every Thirty Acres annually the Sum of One Shilling, and so porportionably for every Parcel under One hundred Acres, and for every hundred Acres Two Shillings Six Pence, and proportionably for a greater Quantity, and for all Lands of what Quality soever from the aforesaid time to the Twelfth Day of *March* one Thousand Six Hundred Seventy and Four, shall pay one half Penny *per* Acre, and so proportionably for a greater Quantity; and for Foot-Land, one half Penny *per* Foot for two sides of the Square added together, and so proportionably for a greater or lesser Quantity, as a certain established Quit-Rent and Acknowledgement to his Majesty, his Heirs and Successors for ever, any Law, Custom, or Usage, or any thing contained in the said Patents to the contrary notwithstanding. And

And for the more speedy and easy Collecting of the said Quit-Rents, Be it further Enacted by the Authority aforesaid, That the Receiver of the Quit-Rents, or his Lawful Deputy shall twice every Year (to say) after each Feast of *St. Michael* the Arch-Angel, and of the Annunciation of the Blessed Virgin *Mary*, keep an Office in the Town of *St. Jago de la Vega*, in the Parish of *St. Catharines*, and in the Town of *Port Royal*, during the space of one Month at each Place, and then and there to receive the Quit-Rents from the Persons concerned, which said Office he shall attend from the Hours of Eight to Eleven before Noon, and from the Hours of Two to Five in the Afternoon; and upon Receipt of his Majesties Quit-Rents, thereof to Acquit and Discharge all Persons, on the Penalty of Five Pounds *Sterling*, which said Penalty shall be, the one half to his Majesty, his Heirs and Successors for and towards the Support of the Government of this Island and Contingent Charges thereof, and the other half to the Informer, to be Recovered in any Court of Record within this Island, wherein no Wager of Law, Essoign, Protection or Injunction shall be allowed.

An

An A C T

For preventing Damages in Plantations, preserving of Cattle, and regulating Hunting.

BE it Enacted by the Governour, Council, and Assembly, and it is hereby Enacted by the Authority of the same, That all Plantations bounding on *Savannas*, High-Ways, Watering-Places, and all Pastures made out of Wood-Land, shall make sufficient Fences, which sufficient Fences shall be judged by Oath of Three Freeholders before any one of his Majesties Justices of the Peace; which said Freeholders shall be Chosen, one by the Party grieved, the other by the Owner of the Cattle, and the other by the Justice of the Peace, and if either of them do not appear, or refuse to make their Choice, that then in such Case the said Justice shall name two, and what Damage shall be done by any Stock in any Plantation so Fenced as aforesaid, the said Damage to be Appraised upon the Oath of the said Freeholders, and the Owners of the said Stock shall pay double the
Damage

Damage so committed or done by their Cattle, Proof being made appear by the Oath of one or more, to be Recovered before any Justice of the Peace, if not exceeding Forty Shillings, if above, in any Court of Record by Action of Debt.

And it is further Enacted and Provided by the Authority aforesaid, That no Person or Persons whatsoever shall kill or destroy any Cattle, Horse, Mare, Mule, or Asinego, but he, she, or they who shall kill or destroy any of the aforementioned Stock, shall forfeit for each they shall kill or destroy the Sum of Fifteen Pounds Currant Money, to be Recovered by Action of Debt in any Court of Record within this Island by the Owner or Proprietor of the said Beast.

And it is further Enacted by the Authority aforesaid, that all Owners of Neat Cattle shall keep one White Man at each respective Pen, and at all Pens whereunto belongs above Two Hundred Cattle, the Owner of such Pen shall keep two White Men, upon pain of forfeiting Ten Pounds for every White Man that shall be wanting, as before, for the space of three Months, to be Recovered in any Court of Record by Action of Debt, the the one half to the Parish for the Use of the

the Poor, the other Moyety to the Informer, or him that sues for the same.

And it is further Enacted by the Authority aforesaid, that all Persons and Owners of Cattle, that shall fail to Pen their Cattle once in three Nights, at the least, that all such Cattle doing Damages shall pay double the Damage, to be Recovered as aforesaid.

And it is further Enacted by the Authority aforesaid, That all Strays of any sort of Cattle, where-ever they shall be found and taken up, shall belong to the Proprietor of the Ground, where they are accustomed to feed, *Provided* the said Proprietor cause the said Stray or Strays to be Cryed by the common Cryer three distinct Court Days in the Court of the said Precinct, describing all the Marks of the said Stray, with the Age and Kind; and further, that the said Proprietors do turn loose again the said Stray, to continue in the same feeding Ground where the same was accustomed to feed, and tying a Withe about the Neck of the said Stray (which shall be a Common Mark for Strays) and in that manner to continue one whole Year from the first taking up or Penning of the same. *Provided* further, that if in the mean time no Person

son shall Challenge or Claim the same, that then the property of all such Strays remain to the Proprietor of the Ground as before, they giving Satisfaction for taking up the said Stray. *Provided always,* That this Act extend not to any Ear-Marked or Burnt-Marked Beast, Horse, Mare, Colt, or any other sort of Cattle, but all such shall belong to the Owners or Proprietors of the same, if Claimed at any time after the Expiration of the Year.

It is further Enacted by the Authority aforesaid, That the Clerks of each respective Courts of Record in this Island are hereby empowered to make Entry and Toll any sort of Cattle, that shall be sold from one Person to another, taking as near description of the several Marks, Natural or otherwise, as can be, and vouched by two sufficient Persons known by the Clerk, which Entry or Toll shall be good against any former Sale or Bargain, or any other Title whatsoever, except in all such Cases where the Provost Marshal or his Deputy hath levied the same by Execution, and the Clerk of the said Court shall take Twelve Pence for each such Entry and for keeping a Record of the same, and no more.

And

And it is further enacted by the Authority aforesaid, that no Person whatsoever shall presume to carry any Fire, or smoak Tobacco in any *Savanna* or Plantation, or High-Ways whatsoever, under the Penalty of Ten Shillings for each time they shall so offend, and be further liable to pay all Damages that shall accrue to any Person or Persons by means of the same, to be Recovered (if not exceeding Forty Shillings) before any Justice of the Peace, if exceeding Forty Shillings, by Action of Debt in any Court of Record within this Island: and if the Person so offending, be not able to make Satisfaction, then the said Person shall be whipped for every such offence at the Discretion of any one Justice of the Peace. *Provided*, that this Clause extend not to Owners of Land, to carry Fire in their own Plantations, or burn their own *Savanna*, yet to be liable as before, if thereby they injure or burn any other Persons *Savannas*, or Plantations; and that all Penalties for carrying of Fire, shall belong to the Person that sues for the same.

And whereas it is found by experience that several Common Drivers of Cattle, or Horse-Catchers do frequently Ride and drive Gangs of Mares and other Cattle

tle from off their own feeding Ground or Pasture, whereby those that are big, cast their Young, and Young ones are often separated from their Dams, and do likewise often deface the Marks of such Cattle and Horses, or new Mark them for themselves or others with wrong Marks, to the great Damage of all such Proprietors; for prevention whereof, Be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall hereafter presume to drive or ride in any *Savanna* as a common Horse-Catcher after any Horses or Mares, without having first given Security for their Honesty, and obtain leave from the Proprietor or Proprietors of such *Savannas* or the Major part of them, under the Penalty of Twenty Pounds, to be Recovered as aforesaid; one third part whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the Contingent Charges of the same; one third part to the Proprietor or Proprietors of such *Savannas* where the Offence shall be committed; the remaining third to the Informer, or he that shall sue for the same.

And

And it is further enacted by the Authority aforesaid, That if any such common Driver or Horse-Catcher, or any other Person employed by or for him or them, shall presume to Sell or Barter any Horse, Mare, or Colt, or other Cattle, but such as he shall bring two sufficient Freeholders of the place where he doth Inhabit, or other good sufficient Evidence, to vouch before the Clerk of some Court of Record within the Precincts where they shall be Sold or Bartered as aforesaid, that he bred them, or otherwise came Lawfully possessed of them, under the Penalty of Fifty Pounds, to be Recovered and Disposed of as aforesaid. And whosoever shall Buy, Barter, or Bargain with any such known Horse-Catcher, or Driver, for any Cattle or Horses, without the same be first vouched as aforesaid, he, she, or they so Offending shall for every such Offence forfeit and pay the Sum of Twenty Pounds, to be Recovered and Disposed of as aforesaid.

And it is further enacted by the Authority aforesaid, That if any Driver or Horse-Catcher shall at any time hereafter fraudulently or designedly put any false Burnt Mark, Ear-Mark, or any other Marks, or deface any old Mark, he or
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they shall for such Offence be guilty of Felony.

It is further enacted by the Authority aforesaid, That no Person or Persons that are Keepers or Owners of Goats, shall suffer their Goats to feed in any Persons Land except their own; and if any do suffer the same to feed in any Persons Land, it shall be deemed Trespass, and the Owner of the Land shall Recover in any Court of Record full Costs of Suit in the said Action, besides what Damage shall be given by the Jury.

Be it further enacted by the Authority aforesaid, That no Person whatsoever shall be capable of Hunting with any Gang of Dogs in this Island, that is not a Planter in it, and hath not at least five Acres of Land planted; and that any Person that shall presume to Hunt any Gang of Dogs within this Island, being not Qualified as aforesaid, shall forfeit for every such Offence his Gang of Dogs, and the Sum of Ten Pounds *Sterling*, to be Recovered in any Court of Record within this Island, by Bill, Plaint, or Information; the one Moyety or half part of all such Forfeitures shall be to our Sovereign Lord the King, his Heirs and Successors, for the Support of the Government

vernment and contingent Charges thereof and the other Moyety shall be to the Informer, or any Person that shall sue for the same. And it shall not be Lawful for any Planter or Planters in this Island to own any Hunting Gang of Dogs, which shall not properly belong to themselves, their Mates in planting, or Hunted by their Servants, under the Penalty of Ten Pounds *Sterling* for each time he or they shall so Offend, to be Recovered in manner and form aforesaid, and to be disposed of as aforesaid.

And it is further enacted and ordained by the Authority aforesaid, That if any Hunting Gang of Dogs shall kill or maim any Tame Stock belonging to any Planter or Person whatsoever, or do him or them any Prejudice or Damage, the Party so Damnified, if the Damage amount to not above Forty Shillings, Satisfaction for the same shall be Recovered by Warrant from any Justice of the Peace, but if it amount to more than Forty Shillings, the Person or Persons so injured shall sue for the same at common Law. And if any Person shall kill or maim any manner of Tame Stock, as Sheep, Hogs, or Goats, either by Hunting or otherwise, and shall not forthwith discover the same to the next

Justice or Constable, to the end the Damage may be known and Recovered, as aforesaid, such Offender killing, maiming or injuring any such Tame Stock, and not discovering it as aforesaid, shall pay Five Pounds for every Default, besides Damages to be Recovered by the Party Injured in any Court of Record.

It is further enacted and ordained by the Authority aforesaid, That no Person whatsoever shall Hunt any Gang of Dogs within four Miles of any Crawl or Settlement (except in his own Land, or leave from the Proprietor of the same) upon pain of Ten Pounds *Sterling*; and that no Person or Persons whatsoever shall set any Snare or Engine in any place whatsoever (his planted Ground only excepted) under Penalty of Forty Shillings for every time any Person shall so Offend in either of the Premises, to be Recovered as aforesaid, and disposed of as aforesaid, and to pay all other Damages that shall accrue by the same.

An A C T

*Encouraging the Importation of
White Servants.*

F*Orasmuch* as it is provided in an Act of this Country, Intituled, An Act for Regulating Servants, for the strengthening and better Defence of this his Majesties Island, every Master and Owner of Slaves shall have such quantity of White Servants proportionable to the Number of Slaves as is therein directed, and as by the said Act doth more plainly appear; and to the intent also all due Encouragement may be given Merchants, Masters, and Importers of White Servants to bring the same, and may not then be discouraged, nor their Servants lie upon their Hands for want of Buyers.

Be it enacted by the Governour, Council, and Assembly, and it is hereby enacted by the Authority of the same, That no Merchant, Master, or Importer of White Servants, shall presume to Sell any White Servant or Servants, before they have been Ten Days Imported, under

the Penalty of Ten Pounds for every such Servant so Sold, the one Moyety to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, the other Moyety to the Informer, to be Recovered by Bill, Complaint, or Information in any Court of Record within this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed. *Provided* nevertheless, That for the Ten Days after Importation of any such White Servants, as abovesaid, the Factor or Seller shall pay the Master for their Diet aboard the Ship; nor shall they be removed by the said Master from thence before the Ten Days be past, under the Penalty aforesaid, to be Recovered and Disposed of as aforesaid.

And be it likewise enacted by the Authority aforesaid, That whatsoever Master or Commander of any Ship or Vessel, that shall bring in or Import into this Island to the Number of fifty White Male Servants, and due proof upon Oath being thereof made before the Naval Officer, (who is hereby empowered to administer the same) shall for that Voyage be altogether freed and exempted from paying

ing any Port Charges for the said Ship or Vessel, wherein the said Servants shall be Imported, any other Custom or Law to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That any Debt or Debts contracted for any Servant or Servants Sold within this Island, shall or may be Recovered by Warrant from any Justice of the Peace, in the same manner as is provided in the Act empowering Justices of the Peace to decide Differences not exceeding Forty Shillings, any Law, Custom, or Usage heretofore to the contrary notwithstanding.

And it is also hereby enacted by the Authority aforesaid, That from and after the Twenty Fifth Day of *March* next ensuing, no Person or Persons whatsoever, employing themselves in the Trades or Exercises of Coopers or Porters within this Island, shall use any Negro Slave or Slaves in their said Trades or Occupations, under the Penalty of Twenty Pounds for every such Offence, to be Recovered and Disposed of as aforesaid.

Provided also, That nothing be herein Construed to prohibit any Master or Owner of any Sugar-Work within this Island from making Cask at their respective

Plantations, or other convenient place, as heretofore, any thing in this Act to the contrary notwithstanding.

An A C T

For Registering of Deeds and Patents.

BE it enacted by the Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That a Deed in due form of Law made, and within three Months after the Date thereof acknowledged by the Party or Parties that grant the same, or proved by the Oath of one sufficient Witness or more before the Governour, or some one of the Judges of the Courts of this Island, and the same recorded at length in the Office of Enrolments, which said Office shall always be kept at *St. Jago de la Vega*, within the said three Months, shall be valid to pass the same without Livery, Seizin, Attornment, or any other Act or Ceremony in the Law whatsoever; and that no Deed hereafter made without such Acknow-

knowledge or Proof and Enrolment, shall be sufficient to pass away any Freehold or Inheritance, or to grant any Lease for above the space of three Years.

Provided nevertheless, That any Old Deeds or Conveyances heretofore made for Lands or Houses, and omitted to be recorded upon being acknowledged or proved, and at any Time after the making hereof recorded in the said Office of Enrolments, shall be effectually valid and of force; but if it shall happen that any second Bill of Sale or Conveyance for a valuable Consideration be made by the said Vendor or his Heirs for the same Land or Houses, or any Part thereof, and the same be duly executed and recorded, then it is hereby declared, that the last Vendee shall have and enjoy the said Land or Houses, any thing in this Proviso or otherwise to the contrary notwithstanding. And if any Vendee hath omitted to execute and inroll his Deed within the Time as aforesaid, but shall at any time afterwards have done the same, no second Sale being made by the first Vendor, his Heirs or Executors, the same shall nevertheless be good to the said Vendee, his Heirs and Executors,
and

and a perpetual Bar against the first Vendor, his Heirs and Executors, any thing in this Act or any other to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That all Deeds and Conveyances granted and made out of this Island, and remitted hither, being proved before the Governour or any of the Judges of the Courts of Common-Pleas as aforesaid, and all those Deeds and Conveyances where any Grantor or Conveyancer shall personally appear in his Majesties Court held before the Lord-Mayor and Aldermen of the City of *London* for the Time being, and shall then and there own and acknowledge such Deed, Grant or Conveyance, to be his Act and Deed, and an Attest thereof be made under the Seal of the Mayoralty of the said City, and the same be recorded in the aforesaid Office within six Months of the Arrival of the Ship that brought the same, shall to all Intents and Purposes whatsoever be as valid, as if the said Deeds or Conveyances had been here made, acknowledged, proved and recorded according to the Form and Time herein before appointed.

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Provided nevertheless, That if any Person here lawfully empowred, shall in Pursuance of that Power, make Sale of any Lands or Freehold to any Person whatsoever within this Island, and the Deeds thereof be duly proved and recorded according to the true Meaning of this Act, before any Conveyance from the Proprietor or Proprietors of the same Land or Freehold or any Part thereof, be here produced, proved and recorded as aforesaid, the said Deed so made and passed here shall stand good and effectual in the Law to all Intents and Purposes whatsoever.

And it is hereby farther enacted and ordained by the Authority aforesaid, That any Mortgage of any Lands, Tenements, real or personal Estates whatsoever, within this his Majesties Island, having received full Satisfaction and Payment of all such Sum and Sums of Money as are really due to him by such Mortgage, shall at the Request of the Mortgager, enter Satisfaction upon the Margent of such Mortgage Recorded or to be Recorded in the Office of Enrolment, which shall for ever hereafter discharge, defeat, and release the same, and shall likewise per-

perpetually bar all Actions brought, or to be brought thereupon in any Court of Record within this Island; and if such Mortgagee shall not within three Months after Request and Tender made for his reasonable Charges, repair to the Office of Enrolments, and there make such Acknowledgment as aforesaid, he, she, or they so refusing, shall for every such Offence forfeit and pay unto the Party or Parties aggrieved the Sum of Fifty Pounds Currant Money of this Island, to be recover'd in any of his Majesties Courts of Record within this Island, by Bill, Plaint, or Information, wherein no Essoign, Wager of Law, or Protection shall be allowed.

And be it farther enacted and ordained by the Authority aforesaid, That it shall and may be lawful for the Judges before whom such Acknowledgment of Deeds or other Writings are and shall be made, to demand and receive for every Deed of the Value of Twenty Pounds or more, Ten Shillings, and for every Deed under the Value of Twenty Pounds, Five Shillings, and no more, under the Penalty of Twenty Pounds, the one Half to be to our Sovereign Lord
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the King, his Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, and the other half to the Informer, to be Recovered as aforesaid.

And be it further enacted by the Authority aforesaid, That the Clerk of the Enrolments shall and may take and receive for Enrolling and Copying an Ordinary Deed, Grant, or Patent for one or more Parcels of Land, or any Deed or Conveyance not exceeding the length of such Patent, five Shillings; for every Deed exceeding the length aforesaid eight pence *per* sheet, accounting Twenty Lines to a sheet, and eight Words to a Line; for every short Writing not exceeding the length aforesaid, Twelve Pence; for Recording every Plot, one Shilling and Three Pence; for searching the Record, Twelve Pence; and for Acknowledging Satisfaction in the Margent of a Mortgage Recorded, one Shilling and Three Pence, and no more, under the Penalty of Ten Pounds to the Uses, and to be Recovered as aforesaid.

And be it likewise enacted by the Authority aforesaid, That all Patents already granted and not Enrolled, shall be Enrolled

rolled in the Office of Enrolments within six Months, and all Patents hereafter to be granted shall be Enrolled within six Months after the Sealing such Patents; which Enrolments, as likewise all such as are already there Enrolled, shall be good and valid in the Law, notwithstanding any Clause inserted in the said Patents directing the contrary.

And whereas it is most manifest, That the Estates of several Orphans have been preserved and vastly Improved by being, during their Minority, Leased out by their Guardians; and whereas it may be Disputable whether such Leases are Warranted by the Laws of *England*.

Be it therefore enacted and ordained by the Authority aforesaid, That all Leases heretofore made or granted, or that hereafter shall be made or granted, of the Estate of any Orphan, by the respective Guardian, for any term of Years, not exceeding the Minority of such respective Orphans, shall be good and valid in the Law, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

Provided always, That this Act or any thing therein contained, shall not extend to contradict or alter any Power given

ven or to be given by the Parent to any Guardians, or to give liberty for the future to any Guardian to Lease out the Estate of any Heiress for any longer Term or Time, than till she shall compleat the Age of Fourteen Years.

Be it likewise enacted and ordained by the Authority aforesaid, That the Clerk of the Enrolments, or whosoever shall execute the said Office for the time being, do find two sufficient Sureties, with himself, to become bound to our Sovereign Lord the King, his Heirs and Successors, in a Bond of the Penalty of Two Thousand Pounds, for the true and faithful Execution of the said Office, and for keeping of the same in the Town of *St. Jago de la Vega*, as is herein before declared, and not elsewhere; which said Bond shall be Recorded in the Supream Court of Judicature within this Island, and be kept by the Chief Justice of the same for the time being, to be made use of according as is directed in an Act, Intituled, An Act Impowering the Secretary to take Security; and whosoever after Publication hereof shall Officiate in the said Office before he hath given such Security as aforesaid, he or they so Offending shall forfeit the Sum of five Hundred

dred Pounds, to be Recovered by Bill, Plaint, or Information, in any of his Majesties Courts of Record within this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed the Defendant; one Moyety whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, and the other Moyety to him or them that shall prosecute the same.

An A C T

Impowering the Church-Wardens of St. Catherines to receive twelve pence per Tun, for all Goods made up in Cask that are Landed on, or Shipped from the Bridge at Passage Fort, for maintaining and repairing the same.

W *Hereas it is evident that the making and repairing the Bridge at Passage Fort hath been very chargeable to*

to the Parish of *St. Catherines*, considering the said Bridge is for the publick Use of several Parishes, in respect whereof some care ought to be taken for easing the said Parish of the great Charge they are at in maintaining the same, and that the several Persons that make use of the said Bridge, should proportionably pay towards the doing of it.

Be it therefore enacted by the Governour, Council, and Assembly, and it is hereby enacted by the Authority of the same, That from and after the making hereof, all Goods whatsoever made up in Cask, and that are Landed either upon, or Shipped from the said Bridge, shall pay Twelve Pence *per* Tun, and so proportionably for a greater or lesser quantity.

And it is enacted by the Authority aforesaid, That the Church-Wardens of *St. Catherines* for the time being, shall take care that the Bridge be kept in sufficient Repair, and in case of their Neglect therein, that then the aforesaid Church-Wardens shall forfeit respectively Ten Pounds; one half thereof to the Informer, and the other half to the Poore of the said Parish, to be Recovered by Bill, Complaint, or Information in any Court

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of

of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed.

And it is further enacted and declared by the Authority aforesaid, That the Church-Wardens of the said Parish of St. *Catherines*, are hereby Impowered to Appoint such Person or Persons as they shall think fit for collecting the aforesaid Duty, and to employ the same to the use and behoof of the aforesaid Parish; and if any Person or Persons shall refuse to pay the aforesaid Duty, it shall be lawful for such Collector, as shall be appointed by the Church-Wardens aforesaid, to detain or keep in his Possession the Goods of the Person or Persons so refusing, until he or they shall have satisfied the same, as it is before expressed, any Law, Custom or Usage to the contrary notwithstanding.



An A C T

For Confirmation of Pious, Charitable and Publick Gifts and Grants.

TO the intent that Pious, Charitable and Publick Gifts and Grants, so necessary in new Colonies to be encouraged and made good, may not be defeated, but may take Effect according to the true Intent and Meaning of the Donor or Donors, Devisor or Devisors, notwithstanding any Incapacity in the Grantee or Devisee; or those to whose Use the same is granted or devised.

Be it therefore enacted and ordained by the Governours, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That for and during the Term and Time of Twenty Years next ensuing, all Gifts, Grants, Conveyances, and Devices of any Houses, Lands, Tenements, Rents, Goods or Chattels, to any Good, Pious, Charitable or Publick use or uses, as for the maintainance of Lawful Ministers, erecting or maintaining of Churches, Chappels, Schools, Universities, Colleges, or other places for Education of Youth,

or maintainance of Men of Learning, or any Alms-Houses or Hospitals, or any other Uses whatsoever, heretofore made and hereafter to be made within the time aforesaid, be and are hereby for ever confirmed and made good, according to the true intent and meaning of the Donor or Donors, Grantor or Grantors, Devisor or Devisors, the Statute of Mortmain, or any other Statute, Law, Custom, or Usage, to the contrary notwithstanding.

Provided nevertheless, and it is hereby enacted and ordained, that no Gifts, Grants or Devise to any Person or Persons whatsoever for any Superstitious Use, or for maintenance of any Minister or Teacher whatsoever other than such as are lawfully ordained and allowed of by the Church of *England*, be hereby confirmed and made good, any thing herein, or in any other Act seeming to the contrary in any wise notwithstanding.

An A C T

Declaring it High-Treason to counterfeit his Majesties Broad Seal of this Island.

FOrasmuch as by the Laws of this Island no due and condign Punishment hath been heretofore provided for such as shall falsify, forge or counterfeit his *Majesties* Broad Seal of this Island, by reason whereof divers evil disposed Persons may be emboldened to perpetrate and commit the said Offence, to the dishonour of his Majesty, and the disinheriting of many of his *Majesties* good Subjects; for prevention whereof,

Be it enacted and ordained by the Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That whosoever shall at any time hereafter Falsify, Forge or Counterfeit his *Majesties* Broad Seal of this Island, that every such Offence shall be Deemed and Judged High-Treason, and the Offender or Offenders therein, their Counsellors, Aiders, Abettors, or Concealers, being legally convicted thereof

of by the Oaths of two lawful and credible Witnesses, upon Tryal or otherwise, then every such Person and Persons so Offending as aforesaid, shall be deemed, declared and adjudged to be Traytors, and shall suffer and have such Pains, Penalties and Forfeitures, as in like Cases is ordained by the Laws and Statutes of his Majesties Kingdom of *England*.

An A C T

*For Regulating Building, and
preventing Fire.*

BE it enacted by the Governour, Council, and Assembly, and it is hereby enacted by the Authority of the same, That no Person whatsoever presume to Build any House at *Port-Royal* within thirty Foot of the High-Water Mark; and that when any House or Houses are already Built, or hereafter shall be Built, on the Harbour-side nearer than thirty Foot of the High-Water Mark, the Wherry Place only accepted, such House or Houses so Built or to be Built, shall and are hereby adjudged, deemed

deemed and taken to be publick Nuisances, and the Proprietor or Proprietors of the same shall cause such House or Houses Built thereon, to be taken down and removed within six Months after Conviction thereof, or otherwise Build or cause to be Built within six Months a strong substantial Wharf, so as the same may make a firm Passage or way of thirty Foot from the High-Water Mark. Provided that no House shall be Built further Northward on the Harbour than Major *Samuel Bach* and Captain *Anthony Swimmer* on any Land Wharfed or to be Wharfed out between *Fort James* and *Fort Carlisle*, but that all Land so made out of the Harbour, or to be made, shall remain unbuilt on.

And be it further enacted and declared by the aforesaid Authority, That when any Fire shall happen to break out either at *Port-Royal*, or at any other Town already Built, or which hereafter shall be Built within this Island, that two or three of the chief Military or Civil Officers of the same Town or Parish shall or may and hereby are empowered to give all such Directions for the pulling down or blowing up any such House or Houses that shall be by them adjudged meet to be

be pulled down or blown up, for the stopping and preventing the further spreading of the same; and if it shall happen that the pulling down or blowing up any such House or Houses by the Directions aforesaid, shall be the Occasion of stopping the said Fire, or the Fire stops before it comes to the same, then all and every Owner of such House or Houses shall receive Satisfaction, and be paid for the same by the rest of the Inhabitants whose Houses shall not be Burnt, who are hereby empowered to make such Rate or Rates for the raising and levying such Sum and Sums of Money as shall be thought convenient by the Justices and Vestry-Men of the Parish.

Provided always, That if that House where the Fire shall first begin and break out shall be Adjudged fit to be pull'd down to hinder the further spreading and increase of the same, that then the Owners of such House shall receive no manner of satisfaction for the same, any thing in this *Act* or any other *Act* to the contrary notwithstanding.

And whereas it may be doubted that the Sea may encroach upon the Southward part of the Town of *Port-Royal*, for the prevention whereof, be it enacted by the

the Authority aforesaid, That all Proprietors or Owners of Land or Houses, their Factors, Agents, Attorneys, and Guardians of Children, or any Persons employed by them, or any of them that are Interested on the Southermost part of *Port-Royal*, from *Fort Rupert* to the House and Land now Inhabited by one *Edward Watkins*, and known by the Sign of the *Blew Bell*, be hereby Enjoyned and Obliged by this Act within twelve Months after Publication hereof, Substantially to Wharf out, and Secure and keep Secured their respective Proportions of Land joining on the Sea, with Substantial Wharf of lasting Timber at least one Foot into the Sea, under the Penalty of Ten Pounds Currant Money of this Island, for every Year any such Person or Persons shall neglect the same; one third part thereof to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, one third part to the Church-Wardens of the Parish of *Port-Royal* for the time being, for the use of the Poor, and the other third part to the Informer, or he that shall sue for the same in any Court of Record within this Island, wherein

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no Eſſoign, Protection, or Wager of Law ſhall be allowed.

And that the Owners or Proprietors of ſuch Land or Houſes as aforeſaid, may be the better Encouraged to Wharf out as is before appointed, the Street now called the *Church-Street* ſhall be no more deemed, accounted or taken for a Street, but ſhall be Added or Annexed to each Propriety and Freehold, in Proportion to their Reſpective Intereſt bounding upon the ſame, for which Conſideration they are hereby Obligated to leave a Paſſage at leaſt eighteen Foot open to the Sea.

Provided that nothing in any Clause of this Act ſhall permit and ſuffer any Perſon or Perſons whatſoever, to Build any Houſe nearer to the Church on the Southſide, than what are already Built for the whole length of the Church aforeſaid.

And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons do fetch or cauſe to be fetched in any Boat, Veſſel, or Canoa, from the Riffs or Shoals, or dig up any Stones below High-Water Mark from the Eaſtermoſt and Southermoſt Parts of any of the Cays lying off *Port-Royal*, and that no Stones ſmall or great be fetched or taken up
for

for Ballast or any other use from the Eastermost side of the Point on *Port-Royal*, so far as *Plum-Point*, on Penalty of Ten Pounds for every such Offence, and that no Commander and Master of any Ship or Vessel cast or hoist out any Ballast overboard into the Water within the Harbour of *Port-Royal*, or any other Harbour or Bay, upon the Penalty of Twenty Pounds for every such Offence.

And be it further enacted, that no Wrecks be laid up within the Harbour of *Port Royal*, or if any such decay'd Vessels or Wrecks sink in the Harbour by neglect of the Owner or Owners, Possessor or Possessors of the same, and not removed within one Month after the sinking thereof, the said Owner or Owners, Possessor or Possessors of the same shall forfeit Twenty Pounds for every Month such Vessel shall so lie.

Provided also, that the several Fines, Forfeitures and Penalties before mentioned in this *Act*, and not declared where they shall be recovered and how disposed of, be one third to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island and contingent Charges thereof, one third to the Church-Wardens,

dens for the use of the respective Parishes, and one third to the Informer to be recovered by Action of Debt in any Court of Record within this Island, where no Essoigns, Protection or Wager of Law shall be allowed, any Law, Custom, or Usage to the contrary notwithstanding.

And forasmuch as great and divers Complaints are daily made by Masters and Commanders of Ships and Vessels Trading to this Island, that upon their Ships or other Vessels coming into any Harbour of the same, the Seamen belonging to the said Ships or Vessels do run on Shore, insomuch that they have not left on Board a sufficient Number of Men to Watch the said Ships or Vessels; Be it therefore enacted and ordained by the Authority aforesaid, That all and every Person or Persons that shall receive or entertain any Seaman or Seamen belonging to any Trading Ships or Vessels Riding in any Harbour of this Island, after the Ships Bell Ringing to set Watch at eight of the Clock at Night, every such Person or Persons receiving or entertaining of every such Seaman as aforesaid, shall forfeit for the Entertainment of every such Seaman the Sum of Forty Shillings,

Shillings, one half to the Poor of the Parish, where the Offence is or shall be committed, and the other half to the Master or Commander that shall Prosecute for the same, to be Recovered by a Warrant from a Justice of the Peace, as in cases of Debt not exceeding Forty Shillings.

An A C T

*For the Maintainance of Ministers,
and the Poor, and Erecting and
Repairing of Churches.*

FOR raising a convenient maintenance for the Ministers and Poor, and Erecting and Repairing of Churches within this Island, *Be it enacted* by the Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That the Respective Justices of every Parish within this Island, or any two of them, shall every Year issue out their Warrants to the Constables and Tything-Men, to Summons the Freeholders of that Parish together, on the Second *Tuesday* in *January*, for the
Choosing

Choosing of Ten Vestry-Men, and Two Church-Wardens, such as shall conform to the Church of *England*, and if they shall neglect to Issue their Warrant, so as the Election be not made that Day, they shall respectively forfeit five Pounds Currant Money of this Island; and in Case the said Freeholders duly Summoned as aforesaid, shall not appear, or appearing do not Choose the said Ten Vestry-Men and Two Church-Wardens, that then in their Default the said Justices shall within Ten Days after the said second *Tuesday* in *January*, or any Day after as to them shall seem convenient, lay a reasonable Tax on the said Parish for the maintainance of the Minister and Poor, and for Erecting convenient Churches and Repairing such as are already made, and making convenient Seats in them; and if the said Justices and Vestry-Men shall neglect their duty herein, they shall respectively forfeit five Pounds Currant Money of this Island.

And be it further enacted and ordained by the Authority aforesaid, That such of the Justices and Vestry-Men that shall not be present at the time appointed to make the said Taxes, and thereof be convicted by a Certificate under the Hands of
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of such as do appear, and have no sufficient Excuse for the same, shall Respectively forfeit Five Pounds Currant Money of this Island; and a Roll of the said Tax so made shall be delivered into the Hands of the respective Constables of the said Parishes, with a Warrant under the same, signed by any two Justices of the Peace, empowering him or them to Levy the said Tax, and upon refusal to distrain and sell by Publick Outcry, and pay the same into the Hands of the Church-Wardens, retaining to himself Twelve Pence *per* Pound for Levying thereof; and if any Person shall refuse to Pay what he is so Assessed, and the said Constables Distrain for the same, all his Charges shall be paid him with such further allowance for his pains, as the said Justices or any one of them shall judge reasonable; and if the said Justice or Justices shall neglect to Issue the said Warrant, he or they shall respectively forfeit five Pounds Currant Money of this Island; and if the said Constables or any of them fail of their Duty herein, they shall respectively forfeit five Pounds Currant Money of this Island: And the Church-Wardens so Chosen shall undertake the said Office, and receive and keep a good account of the
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the Monies - or Goods levied by Virtue of this Act, and the same Issue by Order from the said Justices and Vestry-Men of the Parishes for the purposes and intents aforesaid; and the Church-Wardens shall as often as thereunto required, yield and give a just and true account unto the Justices and Vestry-Men of all their Receipts and Disbursements; and in case the said Church-Wardens, or any of them shall neglect their Duty herein, they shall respectively forfeit five Pounds Current Money of this Island for every refusal.

And be it further enacted and ordained by the authority aforesaid, That the respective Justices of the Parishes of *St. Dorothy* and *St. Thomas* in the Vale, or any two of them, shall every Year Issue out their Warrants to the Constables and Tything-Men, to Summon in the Freeholders of the said Parishes, the Second *Tuesday* in *February*, for the Choosing of Ten Vestry-Men and two Church-Wardens as aforesaid; and that the said Justices and Vestry-Men, or the Major Part of them, are hereby empowered to lay on the Parishioners a reasonable Tax over and above the Rate imposed on them by Virtue of this Act, by the Justices and Vestry-Men of the Parish of
St.

St. Catharines, provided it exceed not one Hundred Pounds Currant Money of this Island, for and towards the Building and Erecting Churches, and making convenient Seats in them in their respective Parishes, and to no other uses whatsoever; and that whatsoever Rate or Rates hath been already assessed by the Justices and Vestry-Men of the Parish of *St. Dorothy's* upon their Parishioners, or any other Person or Persons having Land, Goods or Stock within the said Parish, is hereby Ratified, Confirmed and Declared Lawful, any Clause in this Act seeming to the contrary notwithstanding; a Roll of any Taxes so made shall be delivered into the Hands of the respective Constables of each Parish with a Warrant under the same signed by any two of the Justices, Impowering him or them to Levy the said Tax, and upon refusal to Distrain and Sell by Publick Outcry as aforesaid, any thing in this Act seeming to the contrary notwithstanding.

And be it further enacted and ordained by the Authority aforesaid, That the Justices and Vestry-Men of each Parish have full Power to enquire into Arrears of former Subscriptions and Taxes, and to Levy the same Arrears by War-
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rant from the Justices to the Constables
aforesaid; and that the Minister Demand
no Fee in his own Parish for Christnings,
Marriages, Churchings or Burials, under
the Penalty of five Pounds for every Of-
fence, unless such as the Justices and
Vestry-Men shall allow, any Law, Cu-
stom, or Usage to the contrary notwith-
standing; the one half of all which For-
feitures shall be to the Poor of the Parish,
and the other Moyety to him or them
that shall sue for the same, in any Court
of Record within this Island.

And forasmuch as many Persons who
may by Virtue of this Act, and the Acts
for mending and repairing the High-Ways,
be Taxed, and have nothing in the Parish
where they are Taxed, upon which any
Distress may be made; It is therefore e-
nacted and ordained by the Authority
aforesaid, That in such Cases from and
after the Making hereof, an Action of
Debt shall lie in any Court of Record,
or before any Justice of the Peace as in
other Debts, for the several Church-
Wardens and Surveyors of each respective
Parish and their Successors to recover
against any of the said Persons Rated or
Assessed by virtue of this Act, or any
of them, or their Agents or Attornies
here,

here, all such Sum and Sums of Money as are or shall be rated or assessed upon them as aforesaid.

And that the same Rate or Assessment produced in such Court of Record or before such Justice of the Peace as aforesaid, shall be sufficient Evidence and Proof for the recovery of all such Sum or Sums of Money so Rated or Assessed as aforesaid: *Provided* nevertheless, and it is the true intent and meaning hereof, That no Justices of the Peace and Vestry-Men shall have Power to Assess any such Person or Persons as aforesaid above the Sum of one Shilling *per Annum*, and for every Hundred Acres of Land, and so proportionable for a greater or lesser quantity.

And it is hereby further enacted and ordained by the Authority aforesaid, That any Person or Persons aggrieved or rated in any such Assessment or Tax have hereby Liberty granted to Appeal to the Justices sitting in the Quarter Sessions in their respective Precincts in this Island; *Provided*, that such Appeal to them be made at the first or second Quarter Sessions after such Taxes made and not afterwards, and that there it Appearing to the said Justices that he, she or they were Over-rated,

rated, Taxed or Assessed, the said Justices are hereby Authorized and Impowered, if they find him, her or them so Over rated or Assessed, to ease him, her or them, as to their discretion shall seem meet, but that no Appeal shall lie further, or to any other Court or Place in this Island, for any Tax or Rate made or assessed by the Justices and Vestry-Men of each Respective Parish in this Island, any Law, Custom, or Usage to the contrary in any wise notwithstanding. And be it further enacted and ordained by the Authority aforesaid, That the Church-Wardens of each respective Parish within this Island, do buy or cause to be bought one fair, well-bound Book, wherein the Minister, and in case there be no Minister there resident, the respective Church-Wardens upon notice thereof given by the Masters of the several Families, who are hereby required to give such notice under the Penalty of Five Pounds, shall Register or cause to be Registered by the Clerk of the Vestry of that Parish, the Times of the Births, Christnings, Marriages, and Burials, of all such Person or Persons that shall from time to time be Born, Christned, Married, or Buried, within the said Parish, under the Penalty of Five Pounds for

for every such Default ; and that the said Clerk or Person that shall Register the same, shall have and receive as a Fee for each Entry Fifteen Pence and no more.

And it is hereby further enacted by the Authority aforesaid, That all such Entries duly made and kept as aforesaid shall at all times hereafter be Deemed, Judged and taken as an Authentick Record of all such Births, Christnings, Marriages, and Burials, and in all and every the Courts of Records in this Island ; but if any Person hereby Authorized to make such Entry or any other whatsoever shall make or cause to be made any false Entry, or shall raze out or imbezzel any Entry or Books of Entry, he or they so offending shall be proceeded against and Punished in manner and form as the Laws of *England* provide against such as Steal, Raze, or Imbezzel, Records; the one Moyety of all which Forfeitures or Penalties, or any other mentioned in this Act, and not directed how to be disposed of, shall be to the Poor of the Parish where the fault is committed, the other Moyety or half part to the Informer, to be Recovered by Bill, Plaint or Information, in any of his Majesties Courts

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of Record in this Island, wherein no Wager of Law, Essoign, Protection or Injunction shall be allowed, any thing in this Act or any other Act to the contrary in any wise notwithstanding.

And be it further enacted and ordained by the Authority aforesaid, That the Parish of *Port-Royal* do allow and pay unto the Minister thereof two Hundred and Fifty Pounds *per Annum* of Currant Money of this Island, and that the Parish of *St. Catherines* do allow and pay unto the Ministers thereof one Hundred and Forty Pounds of the like Money *per Annum*, and not less; and that the Parish of *St. Thomas*, *St. Andrews* and *St. Johns*, do allow and pay unto their Respective Ministers one Hundred Pounds of like Money *per Annum*, and that all the other Parishes within this his Majesties Island, that either have or shall have a Minister, do allow and pay Eighty Pounds Currant Money and not less, as a constant Yearly Salary for the Support and Maintenance of every of their Ministers, to be Paid at their respective Dwelling-Houses every six Months, without any Charge or defalcation, by equal Portions; and none to be Capable of being presented to the said Benefices, or receiving the profits

profits of the same, unless they produce due Testimonials that they are qualified according to the Canons of the Church of *England*, by having taken Deacon and Priests Orders, and the said Testimonials to be Recorded in the Secretaries Office.

And be it further enacted and declared by the Authority aforesaid, That no Minister not duly qualified as aforesaid, presume to Marry any Person or Persons whatsoever under the Penalty of one Hundred Pounds Currant Money of this Island, one third thereof to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, one third to the Poor of the Parish where the offence shall be committed, and the other part to him or them that shall sue for the same in any of the Courts of Records within this Island; and that no Minister presume to Marry any Persons whose Banes have not been Published three times in their Parish-Church or have a Licence from the Governour or Commander in Chief for the time being, Authorizing him thereunto, under the like Penalty, and to the same uses, to be Recovered as aforesaid,

or Twelve Months Imprisonment: *Provided* always, and it is the true intent and meaning of this Act, That no Ecclesiastical Law or Jurisdiction shall have Power to Inforce, Confirm, or Establish any penal Mulcts or Punishment in any case whatsoever, any thing in this Act or any other to the contrary notwithstanding.

And whereas this Island in the Twenty Ninth Year of his Majesties Reign by an Act of this Country was divided into Fifteen Parishes, which were called, distinguished and known by several Names hereafter mentioned, that is to say, St. Thomas, St. Davids, Port-Royal, St. Andrews, St. Catherines, St. Dorothy's, St. Thomas in the Valley, Clarendon, Vere, St. Johns, St. Georges, St. Maries, St. Anns, St. James, St. Elizabeths; Be it therefore enacted and ordained by the Authority aforesaid, That all and every of the said several Parishes rest, remain and for ever hereafter be distinguished and known by the aforesaid respective Names, and by no other whatsoever, any thing in this or any other Law to the contrary notwithstanding.

An A C T

*Ascertaining the value of Foreign
Coins, and Establishing Interest.*

BE it enacted by the Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That each single Spanish Dubloon or French Pistol shall be Currant, and pass for Twenty Shillings Currant Money, each single Piece of *Sevil, Mexico, or Piller*, and each French Crown at Five Shillings Currant Money, a *Peru* Piece of Eight at Four Shillings, and all Monies whatsoever of those Coins aforesaid shall in all Payments whatsoever be proportionably rated, any Law, Custom, or Usage to the contrary notwithstanding.

That whosoever shall for base lucre by any way or means Coin, Falsify, Impair, Diminish, Seal, Wash, Clip, File, or Lighten any of the Money aforesaid, or any other Money Currant in this Island, shall be guilty of High-Treason, any Law, Custom, or Usage to the contrary notwithstanding.

And

And it is further enacted and declared by the Authority aforesaid, That from and after the Twentieth Day of *July* in the Year of our Lord one Thousand six Hundred eighty and one, no Person or Persons whatsoever upon any contract made or to be made, shall directly or indirectly take for the Loan of any Monies above the value of Ten Pounds Currant Money for the forbearance of one Hundred Pounds Currant Money of one Year, and so after the Rate for a greater or lesser Sum for a longer or shorter time, which said Interest is hereby declared to be only recoverable upon Penal Bonds and Mortgages.

That all Bonds, Contracts, and Assurances whatsoever, made hereafter for the payment of any Principal Money to be lent on Usury, whereupon or whereby there shall be received or taken above the Rates of Ten Pounds Currant Money in the Hundred as aforesaid, shall be utterly Void; and that all and every Person or Persons whatsoever, who shall hereafter upon any Contract to be made, take, accept, or receive, by any way or means, or Corrupt Bargain, Loan, or Exchange, Shift or Interest, of any Monies, or by deceit or other Fraudulent Con-

Conveyances for forbearance or giving Day of payment for one whole Year, or in proportion for a longer or shorter time for their Monies, the Sum of Ten Pounds Currant Money aforesaid, shall forfeit and lose for every such his or their Offence treble the value of the Money lent or bargained for, by any way or means whatsoever; one Moyety of which Forfeitures shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, the other Moyety to him or them that shall sue for the same, in any Court of Record within this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed.

And whereas certain evil disposed Goldsmiths deceitfully do make and sell Plate and other Gold and Silver Wares, to the great Defrauding of his Majesties Subjects of this Island, for remedy whereof, be it enacted by the Authority aforesaid, That no Goldsmith or Worker in Gold or Silver within this Island, from and after the first Day of *August* in the Year of our Lord one Thousand Six Hundred Eighty and one, shall Work, Sell, Exchange, or cause to be Wrought, Sold,
or

or Exchanged, any Plate or other Goldsmiths Wares of Gold, less in fineness than Twenty Two *Carrats*; and that from the time aforesaid, no Goldsmith or Worker in Gold or Silver shall make, Sell or Exchange in any place within this Island, any Plate or Goldsmiths Wares of Silver less in fineness than that of Eleven Ounces Two Penny Weight; and that no Goldsmiths or Worker in Gold or Silver shall presume to put to Sale, Exchange or Sell, any Plate of Goldsmiths Work of Gold or Silver, before he hath set his own Mark to so much thereof as may conveniently bear the same, upon pain of Forfeiting the Value of the thing so Sold or Exchanged.

And be it further enacted by the Authority aforesaid, That whatsoever Goldsmith or Worker in Gold or Silver as aforesaid, from and after the first Day of *August*, shall presume to Sell or Exchange any Gold or Silver Wares, of less fineness than aforesaid, for every such first Offence, shall forfeit treble the Value of the said Wares so Sold or Exchanged, one half whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent

tingent Charges thereof, and the other half to the Party aggrieved, to be recovered in manner and form aforesaid; and whosoever shall offend the Second time, and thereof be convicted, shall stand in the Pillory for the space of one Hour, and lose his Ears for the same.

An A C T

For settling the Militia.

W *Hereas* the Situation of this Island, amidst Subtle, Rich and Potent Nations, cannot but sufficiently Convince every reasonable Man of the Necessity the Inhabitants have, of being well Armed and Trained up in the Art *Military*, as well for the Honour and Service of his most Excellent Majesty, as the Preservation of our own Lives and Fortunes.

Be it therefore enacted and ordained by the Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That no Person whatsoever from 15 to 60 Years

Years of Age, remain Unlisted by themselves, Masters, Mistresses, or Employers, under the Captains, in the respective Places of their Abode, in Foot, or Horse, the space of six Weeks, on Penalty of Forty Shillings, and so for every Six Weeks such Persons shall remain Unlisted; And that every Foot Soldier be provided with a well-fixed *Musket* or *Fusée*, or (if the Officer so appoint) with a good *Pike*, and *Sword*, or *Launce* and *Pistol*, each *Musqueteer* to have six Charges of Powder and one *Cartouch-Box*, and so shall appear, when and where appointed, upon Penalty of Ten Shillings for his Default in not appearing, and Four Shillings for want of each Charge of Powder, *Gun*, *Pike*, *Sword*, *Pistol*, or *Cartouch-Box*, so as the whole Penalty for any Person at one time exceed not Ten Shillings; and that every Soldier belonging to the Horse, shall when and where commanded, appear and be provided with a good Serviceable Horse of Ten Pounds Value at the least, covered with a good Saddle, with Holsters, Breast-Plate and Crupper, and a Case of good Pistols, Hanger, Sword or Rapier, and half a Pound of Powder, on Penalty of Ten Shillings for each times absence, and six Shillings for default of each

each the particulars abovementioned, so as the whole Penalty for one time exceed not fifteen Shillings; and that every Foot Soldier shall have at his Habitation and Abode Two Pounds of good Powder, and Six Pounds of sizeably Bullet, and every Trooper have at his usual place of abode a well-fixed *Carbine* with Belt and *Swivel* and Four Pounds of fine Powder, with Twelve Pounds of sizeable Bullets, on Penalty of Ten Shillings for each Default, and that each of them shall bring the same into the Field, when Commanded, upon Penalty of answering the same at a Court Martial: Provided nevertheless that nothing herein be Construed to Extend to force or compel any Person, that hath or shall be in Commission in this Island, to List himself in any Company or Troop, or to serve in any Capacity beneath the former Commission, unless such Person hath been degraded by a Court Martial.

And it is further enacted by the Authority aforesaid That no Person so Listed as aforesaid shall depart thence without a discharge from the Commander of the Company or Troop where Listed, on Penalty of Forty Shillings, and that no Commander of any Company or Troop shall

shall refuse when desired to give a discharge in Writing to any that is removing his Abode out of the Precincts, under the Penalty of Five Pounds.

And whereas at the Town of *Port-Royal* Guards and Watches are every Night set and appointed; Be it therefore enacted and declared by the Authority aforesaid, That it shall and may be Lawful for any Person or Persons Listed in the Regiment of *Port-Royal* (except on extraordinary Occasions) to put a well Armed Man in their room, who if approved of by the Captain of the Guard shall excuse his or their Absence; *Provided* always, that the Commission Officers and Serjeants of the respective Companies be obliged in their respective turns, to Mount the Guards in their proper Persons, and that no Person shall refuse to be a Serjeant, Corporal, or Drummer, in the Company or Troop wherein he is Listed, under the Penalty of Five Pounds.

And be it further enacted and ordained by the Authority aforesaid, That all Captains of Companies of Foot or Troops of Horse, shall within Six Months from and after Publication of this Act provide for their Companies and Troops, Drums and Colours, Trumpets, Trumpeters, and Ban-

Banners at their own Charge, under Penalty of Ten Pounds, and so for every Six Months such Commanders shall remain unprovided; and that all the Colonels of the respective Regiments, or next Chief Officer in their Absence, shall once every Year at the least Issue out their Warrants to their Inferiour Officers, commanding them to make diligent Search and Inquiry in their several Precincts, that all be duly Listed, Armed, and Equipped, and to return to them such defects as shall be found, to the end the same may be reformed, on Penalty of a Hundred Pounds; and that once every two Months or oftener, as Occasion shall require, and Command be given by the Commander in Chief, the several Companies and Troops in each Regiment shall meet at the next and most convenient places, to be appointed by their respective Officers, to be then and there by them Mustered and Exercised, only the Regiment on *Port-Royal* shall meet and exercise one Company in each Week Successively, and the whole Regiment once in Eleven Weeks.

And it is further enacted and ordained by the Authority aforesaid, That during the time the said Officers and Soldiers

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are in Arms, they shall observe and keep all and every of the Laws and Articles of War, and give all due Obedience to their Superior Officers, which Laws and Articles the Commander in Chief with Advice of a General Council of War, is to make and Establish, and the Commanders of the several Regiments to give out Copies of the said Articles unto their respective Officers, that the same may be publickly read once every Six Months unto the Soldiers, whilst they are in Arms, that all Persons may the better know and observe their Duties. And if it shall happen that any of the Officers or Soldiers shall, when they are out of Arms, endeavour to take revenge by force, for any thing his or their Superiour Officers Lawfully did in pursuance of his or their Duty, and this Act, the said Officers and Soldiers shall be brought to a Court Marshal and there punished, as if the Offence had been done in time of Service or Exercise: *Provided* that the said Punishment do not Extend to Life or Limb.

And be it further enacted by the Authority aforesaid, That once every Year, or oftener if thereunto Commanded, each
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particular Captain shall give to his Field Officer, and the Field Officer to the Commander in Chief, fair Written Rolls of their respective Companies and Regiments; and if any Field Officer, Captain or other Inferior Officer, or Soldier, shall neglect or contemn performing the Lawful Commands of their respective Superiour Officers, he or they shall be punished by Fine, Casheering or Punishment according to the Discretion of a Court Marshal, which the Commander in Chief is to appoint and establish, and the Orders of the said Court Marshal are hereby declared to be Binding in all Military Affairs; and if any Person upon any Invasion, or other Publick Military Service, be Wounded or Disabled, he shall be Cured and Maintained out of the Publick Revenue; and if any Person whatsoever shall be Sued, Molested, or Impleaded, for any thing Lawfully Comanded in the Execution and Pursuance of this present Act, he shall plead the General Issue, and give this Act in Evidence, and shall thereupon, if found for him, recover Costs of Suit and treble Damages.

And be it further enacted by the Authority aforesaid, That upon every Ap-

prehenſion and Appearance of any Publick Danger or Invaſion, the Commander in Chief do forthwith call a Council of War, and with their Advice and Conſent Cauſe and Command the Articles of War to be Proclaimed at *Port-Royal* and *St. Jago de la Vega*, from which ſaid Publication the Martial Law is to be in Force; that then it ſhall and may be Lawful for the ſaid Commander in Chief to Command the Perſons of any of his Majeſties Liege People, as alſo their Negroes, Horſes, and Cattle, for all ſuch Services as may be for the Publick Defence, and to pull down Houſes, cut down Timber, command Ships and Boats, and Generally to act and do with all full Power and Authority, all ſuch things as he and the ſaid Council of War ſhall think Neceſſary and Expedient for his Majeſties Service and Defence of this Iſland: *Provided* always and it is the true Intent and meaning of this Act, that as ſoon as the Common Law revives and is in Force, the ſaid Negroes, Servants, Cattle, Ships or Boats, ſo Imployed as aforeſaid, be immediately diſcharged; and to the end it may be certainly known when the Martial Law ceaſeth, and the Common Law taketh place, it is hereby de-

declared, that upon Lodging the Colours, and discharging the Soldiers from their Arms, the Martial Law ceaseth and the Common Law revives and taketh place. *Provided* also, that the Marshal or his Deputy shall not presume to arrest any such Soldier, within one Month after every such discharge, nor in the time of his going or coming to or from the place of Exercise, or Rendezvous, under the Penalty of Ten Pounds, and of being further liable to an Action of false Imprisonment; and in case of any such Arrest, it shall be Lawful for the respective Captain, or other Commission Officer, to release any of his or their Soldiers so Arrested.

And it is hereby further enacted and ordained by the Authority aforesaid, That if upon any Alarm or Invasion any Person or Persons whatsoever shall suffer either by the Landing of an Enemy, or drawing together his Majesties Forces of this Island, all such Damage or Damages, whether in Servants, Negroes, Horses, Cattle, or in the Labour of any of them, or in the Expence of Provision, or by Fire, or by any other Loss whatsoever, that may accrue by the means aforesaid, that then upon due application

and Proof thereof made unto the Governour and Council, the said Damages shall be reasonably Valued, and forthwith paid out of the Publick Revenue; and that if there be no Money there, the Governour and Commander in Chief do forthwith call an Assembly, and recommend to them all Cases of the like Nature, so that Money may be Legally raised for the Publick Disbursements, and every one receive just and equal satisfaction for their Losses.

Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the several Fines and Forfeitures mentioned in this Act, and not declared in what manner they shall be recovered, and how disposed of, that all such as do relate to any Person under the degree of a Captain, shall be to the respective Captains to Defray the Charge of their Companies or Troops, and to be Levied before the next Exercising Day, by Distress and Sale of the Offenders Goods by the Captains Warrant to the Serjeant or Corporal, and if no Distress be found, the Punishment to be by Riding the Wooden Horse, or being tyed Neck and Heels, not exceeding an Hour at the discretion of their Officer; but

but if the Offender be a Servant, the Owners Goods shall be lyable to the Distresses and Sales as aforesaid, so that Satisfaction may be made; and for all other Penalties mentioned in this Act, the same shall be levied by Distress and Sale of the Offenders Goods and Chattles by the Provost Marshal, by Warrant from the Commander in Chief; one half thereof shall be to our Sovereign Lord the King his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, and the other half to the Informer.

And be it further enacted by the Authority aforesaid, That it shall and may be Lawful for any Commission Officer belonging to the Regiment on *Port-Royal* under the degree of a Captain, in the absence of the said Captain from off the Point, to grant Warrants of Distress against any Persons whatsoever that shall absent themselves from their Duty on the Night Guards, without sending a sufficient Person to serve and watch in their Stead; which said Warrants so granted shall be as Effectual to all Intents and Purposes whatsoever, as if they or any of them had been granted by the Captains themselves.

And be it likewise enacted by the Authority aforesaid, That no Wherry, Ships Boat or Canoa, shall at any time pass the Fort at *Port-Royal* under the Penalty of Twenty Shillings, to be recovered by Warrant from any Justice of the Peace, without giving Notice to the Captain of the said Fort, or whosoever shall Command in Chief therein in his Absence; which said Notice shall be sufficient leave to pass the said Fort, without any further Charge or Trouble whatsoever, unless the said Captain or other his Subordinate Officer have reasonable cause to suspect the Person so desiring leave, to have some evil design in going off with or carrying off any Persons contrary to Law; in which case it shall and may be Lawful for the said Captain or his aforesaid Officer to hinder their departure out of the Harbour, until the said Captain or Officer be satisfied of the Lawfulness of their Occasion, any Act, Custom, or Usage, to the contrary notwithstanding.

Be it also further enacted by the Authority aforesaid, That no Person whatsoever presume to Fire any small Arms after eight of the Clock at Night, unless in case of an Alarm, Insurrection, or other lawful Occasion, and in either of
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the said Cases Four Muskets or small Arms distinctly Fired shall be taken for an Alarm from Quarter to Quarter ; and every Person that shall be duly convicted before a Regimental Court Marshal, of neglecting his Duty in taking and giving forward any Alarm by firing Four Muskets or small Arms as aforesaid, or shall be guilty of firing any small Arms after Eight of the Clock at Night, unless as aforesaid, shall be Fined, or otherwise punished at the discretion of a Court Marshal, not extending to Life or Limb.

And whosoever shall be found to be a Transgressor herein, by the next Commission Officer under Penalty of Five Pounds be caused to be Apprehended, and sent under a Guard to the next Marshal, who is hereby obliged under Penalty of Twenty Pounds to receive and secure the said Offender until he shall be Tryed or Discharged by a Court Marshal as aforesaid.

And for the better Prevention of False Alarms, That no Captain, Master, or Commander of any Ship or Vessel Riding at Anchor in the Harbour of *Port-Royal* or any other Bay or Harbour, or any other Person, fire any Gun after Sunset,

set, under Penalty of Forty Shillings for every Gun so Fired, to be Levied by Warrant from the Chief Officer not under the Degree of a Captain, who is hereby Impowered to Administer an Oath and give Judgment thereupon by Distress or Sale of the Offenders Goods, and for want of Distress the said Chief Officer is hereby Impowered to Commit such Offender to Goal, there to remain until payment of the same; and that in Case the said Chief Officer shall not perform his Duty therein, he shall forfeit Ten Pounds, to be levied by Warrant from the Governour or Commander in Chief for the time being; *Provided* always that this Clause shall in no ways concern or extend to any Captain or Officer of any of his Majesties Ships of War for their firing of one Gun for the setting of the Watch.

Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That nothing in this Act contained be expounded, construed, or understood, to diminish, alter or abridge the Power of the Governour or Commander in Chief for the time being, but that in all things, and upon all Occasions, he may Act as fully and freely as
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Captain General and Chief Governour, to all Intents and Purposes, as if this Act had never been made, any thing in this Act to the contrary notwithstanding.

Provided also, and it is hereby enacted and declared by the Authority aforesaid, That nothing within this Act, or any Clause therein contained shall be deemed, construed or understood, to give any Captain General or Commander in Chief any Power or Authority for the sending any Person or Persons off this Island against their Will, or to do any other Act or thing contrary or repugnant unto the known Laws of *England* or this Island.

An A C T

For prevention of Law Suits.

BE it enacted and ordained by the Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That all Possessions of, or Titles to any Lands or Houses whatsoever, derived by or from
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any Sales, for Valuable Considerations made, either by the Provost Marshals, Creditors, or by the Executors, or Administrators, of any Persons Deceased, or by the Husbands in Right of their Wives, or by the Endorsments or Delivery up of Patents, or by any Decrees in Chancery, or by any Last Wills and Testaments, or by any Patents Granted upon Judgment given in Writs of Escheat or *Cessavit*, and the said Person, or any claiming under them now being in Possession of the same, be by this present Act Ratified, Confirmed, and Declared good and Legal to all Intents and Purposes whatsoever; *Provided* always, that such Possessors or Purchasors, their Heirs or Assigns, have or shall continue in quiet or peaceable Possession of the same, for the space of Seven Years without any Claim or Interruption, and the said Sales, Patents, Decrees, and Possessions, as aforesaid, to be a perpetual Bar against all manner of Persons Claiming, or to Claim, any Right or Title by Descent, Purchase, Marriage, or Limitation, for or by reason of any former Grant, Gift, Patent or Conveyance, any Law, Custom, or Usage, in any wise to the contrary notwithstanding.

And

And it is hereby enacted and declared by the Authority aforesaid, That in all Writs of Escheat hereafter to be Granted, the Provost Marshal be Commanded to Inquire by a Jury of Twelve Free and Lawful Men upon their Oaths, (they then being upon the Premises) the true Value of all and singular the Real Estate, which any Person so dying without Heirs was at the time of his Death Seized of, and that after Office found and returned into the Supreme Court and Judgment hereupon given and Recorded, it be Lawful for the Governour for the time being, or in his Absence the Commander in Chief, to pass any Grant of the said Escheat Estate, under the Broad Seal of this Island. *Provided* that a Clause be therein Inserted, that the said Grant shall determine and be void, in case any Right Heir appears and claims the same, and Legally approves himself to be Heir within Three Years after the Date of the said Patent; and that the Value of the said Escheat Estate, as it was Apprised at, shall be secured to be paid in to the Treasury of this Island, after the Expiration of Three Years from the Date of the Patent, (if no Heir in the mean time shall Obtain the same,) by such Person
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or Persons to whom the Governour or Commander in Chief, as aforesaid, shall by Patent under the Broad Seal of this Island grant the same; and that the Treasurer or Receiver be hereby required to pay, or cause to be paid, the Sum or Sums of Money the said Escheat Estate was Valued at out of the Treasury, unto or for the Use of such Heir, who shall claim the the same, and approve himself to be Heir, before any other Payment whatsoever; which Proof of the Heirs Title shall be made by any Publick Attestation, or otherwise, as shall be believed, to be Evidence by the Judges and Jury, to be recovered at any time without Limitation.

And be it further enacted by the Authority aforesaid, That all Bills of Sale and Conveyances whatsoever, heretofore made, or that hereafter shall be made, by Husband and Wife, and acknowledged before the Judge of any Court of Record within this Island, and duly Recorded, shall be good and Valid in Law against all Persons whatsoever, that can or may pretend to Claim any Estate in the Lands or Tenements so conveyed, to all Intents and Purposes whatsoever, as if the same had passed by Fine and Recovery

covery in any of his Majesties Courts of *Westminster*.

Provided always, that where any true and Valuable Improvement is made on such Escheated Land by the Patentee or Patentees during the said Three Years, that such Heir before his Entering upon the same shall satisfy and pay unto such Patentee or Patentees, all such Charges as the Chancellour for the time being shall judge to be reasonably Expended, together with the Interest of the same, according to the Custom of this Country, any thing herein contain'd to the contrary notwithstanding.

An A C T

For Establishing Courts, and directing the Marshals Proceedings.

FOR the better and more orderly Regulation and Establishment of the several Courts of Justice within this Island, as well in respect of the time as place for holding the same, and also directing the Marshals Proceedings, be it enacted by the Governour, Council, and
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Assembly, and it is hereby enacted and ordained by the Authority of the same, That the Judges of the Supream Court of Judicature for the time being, are hereby fully Impowered and Authorized to have Cognizance of all Pleas, Civil, Criminal, and Mixt, as fully and amply, to all Intents and Purposes whatsoever, as the Courts of Kings Bench, Common Pleas and Exchequer within his Majesties Kingdom of *England*, have or ought to have; and the said Court shall be duly and constantly kept at the Town of *St. Jago de la Vega* and not else where, once every Three Months, and not oftner, and that there be Five Judges at the least appointed to hold the same Court, three whereof to be a *Quorum*; and that the severall Inferior Courts of Common Pleas established, or that shall be established in the severall Precincts of this Island, shall have Jurisdiction over all Causes wherein any Freehold is not concerned, to the Value of Twenty Pounds with Colts and no more, and that the same be held and kept at the same time and in the same place of the respective Precincts, where the Justices of the Peace shall hold and keep the Quarter Sessions once every three Months, and that

that none of the said Courts be kept oftner, nor in any other place or manner than is hereby declared.

Provided always, and it is hereby enacted by the Authority aforesaid, That in respect *Port-Royal* is the Chief Seat of Trade within this Island, and it is found by Experience that a quicker and more speedy dispatch of all Maritim and Marchandizing affairs give the greatest satisfaction to all Parties concerned, it shall and may be Lawful for the Judge or Judges of the Court there Established, to hold and keep the same once every Two Months and not oftner, and that it shall and may be Lawful for the Chancellour here for the time being, upon application made, to Grant Justices to any of the Inferiour Courts, within this Island, any thing herein contained to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That it shall not be Lawful for any Person or Persons whatsoever Appointed, Elected or Chosen, to be a Judge or Judges of the aforesaid Courts, to Execute or Officiate his or their said Place or Office, until such time as he or they shall respectively take the Oaths of Allegiance and Supremacy in
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open Court; and that none of the said Judges directly nor indirectly shall ask, demand, or receive any other profit, benefit or advantage, from any of the Clerks of the said Courts, or other Person whatsoever, under colour or pretence of such their Place, Office or Authority, but what is allowed them by the Acts of this Island, under the Penalty of Five Hundred Pounds of Currant Money of this Island.

And be it further enacted by the Authority aforesaid, That all and every of the Judges of the several Courts before mentioned, be and are hereby sufficiently Empowered to make, order and establish all such Rules and Orders for the more orderly practising and proceeding in their said Courts, as fully and amply to all Intents and Purposes whatsoever, as all or any of the Judges of the several Courts of the Kings Bench, Common Pleas, and Exchequer in *England* Legally do; and that no Counsellor or Attorney be suffered to practice in any of the said Courts, until they be first admitted by the same, and have taken as well the Oath of an Attorney, as the Oaths of Allegiance and Supremacy, under the Penalty of Twenty Pounds of Currant Money of this Island;

stand; and whatsoever Counsellor or Attorney shall by negligence or ignorance mistake his Clients Cause, and imperfectly lay his Action or ill draw the Declaration, whereby the Client shall suffer a Nonsuit, he or they so offending shall be lyable by Rule of Court, without any other Process or course of Law whatsoever, to pay unto the Party aggrieved full Costs of Suit. And to the end that no Person shall be Damnified by mistake of his Lawyer, for matter of form only, be it enacted and declared by the Authority aforesaid, That the Judges shall at all times on Motion made in Court, order Amendments, and shall not upon Arrest of Judgment or Writ of Errour for matter of Form only, reverse any Judgment whatsoever. And be it enacted and declared by the Authority aforesaid, That no Action of Waste shall be permitted to be brought or allowed to lie within any Court of this Island, and that no Freeholder whatsoever, being of known Residence, shall be Arrested by any Process out of any of the said Courts upon the Penalty of Twenty Pounds Currant Money to be paid by the Plaintiff to the Party so Arrested, and what Action or other proceeding whatsoever shall be entered,

tred, sued, had, made, or prosecuted thereupon, contrary to the true intent and meaning thereof, shall and is hereby declared to be void and of no Effect to all Intents and Purposes whatsoever: And that no Suit be had or Process taken out of the Supream Court of Judicature for any matter or Cause of Action under the Value of Twenty Pounds Currant Money of this Island, upon the Penalty of Twenty Pounds of the like Money, to be paid by the Plaintiff in the said Action, but that the same be tryed in the Court of the Precincts, where such Cause of Action doth arise; *Provided* that both Parties reside there, and that the Inhabitants and Residents in *St. Catherines*, *St. Dorothy's*, *St. Thomas* in the *Vale*, and *St. Johns*, sue as formerly in the Supreme Court for any Sum whatsoever, until they shall have Petty Courts Erected in their own Parishes, any thing in this Act to the contrary notwithstanding.

And it is further enacted by the Authority aforesaid, That in all and every the Inferior Courts within this Island, upon Summons duly served, and the Defendant not appearing, Judgment shall go by default in the same manner and form, as in the Supreme Court; *Provid-
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ed always, that it is the true Intent and Meaning of this Act, that as well in the Supreme Court as any other the Inferiour Courts within this Island, the Provost Marshal or his Lawful Deputy shall appear in open Court, and there depose upon Oath, that the Party or Parties against whom Judgment shall go by default, hath been legally Summoned Fourteen Days before the said Court, any thing in this Act or any other to the contrary notwithstanding.

And it is likewise enacted and ordained by the Authority aforesaid, That upon any Declaration exhibited in Debt upon specialty or Bill under Hand, or in case of a Book Debt upon a *Concessit Solvere* and disclosing the special matter to the Chief Judge of the Supream Court of Judicature, that the said Debtor against whom the Plaint is entred, is either gone off this Island, or that upon Procefs already taken out against him a *Non est Inventus* hath been returned, an Attachment shall then Issue, thereby commanding the Provost Marshal, or his lawful Deputy to attach such Moneys, Goods, Chattles, or Debts in the Hands of the Possessors of the same, be they Attorney, Wife, Servant or any other Person, and

also require them to appear at the next Court, to shew Cause why the said Money, Goods, Chattles or Debts, or so much thereof as will satisfy the said Debts then demanded, should not be delivered to the Plaintiff; at which Day, if the said Possessor or Debtor, be they Attorney, Wife, Servant, or other Person, as aforesaid, be convicted by Confession, Verdict, or otherwise, that the said Monies, Goods, Chattles or Debts do properly belong to the Person so gone off this Island, or otherwise absented himself as aforesaid, and if the Plaintiff before or after due proof made, do solemnly swear in open Court, that his Debt is true, and that directly or indirectly no part or parcel of what he demanded is satisfied, and also give in Security in double the Sum he demands, to restore the same with treble Damages, or so much thereof as shall at any time afterwards be disproved, that then and in all such Cases the Plaintiff shall have Judgment to recover the said Debt out of the said Money, Goods, Chattles or Debts so attached as aforesaid.

Provided always, That if any will appear as Attorney to the said Debtor, and put in Bail to answer the Action and pay the

the Condemnation, that then and in all such Cases the Attachment on the said Money, Goods, Chattles or Debts shall be dissolved, and Proceedings had according to the Custom of the Common Law ; but if the Possessor or Owner of such Money, Goods, Chattles, or Debts, be they Attorney, Wife, Servant, or other Person, as aforesaid, shall after Attachment so laid on them in the respective Hands, dispose of the said Money, Goods, Chattles, or Debts, towards the payment of any other Debts, before the said Debt for which the Attachment was laid be satisfied, or the said Attachment be dissolved, that then and in all such Cases the said Party, for such their Default, shall be liable to make satisfaction to the Plaintiff out of their own proper Estates.

And be it further enacted and ordained by the Authority aforesaid, That in all Debts not exceeding Forty Shillings, upon Complaint made to any Justice of the Peace, that the Debtor against whom he complaineth is gone off this Island, or otherwise absented himself, that then it shall and may be lawful for the said Justice of the Peace to issue out a Warrant of Attachment to be levied by the Con-

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stable, in manner and form as is before prescribed, to the Provost Marshal for the Execution of the Writ, and to be immediately determined by the said Justice, any Clause in this Act or any other to the contrary notwithstanding.

And be it further enacted and ordained by the Authority aforesaid, That all Summons and other Process hereafter mentioned shall be served and executed in manner and form, as is herein directed, and in no other manner or way whatsoever, (that is to say) That all Summons as well from the Supreme Court as all other the Inferiour Courts within this Island, *Port-Royal* only excepted, shall be delivered to the Party, or left at their respective Dwellings Fourteen Days before the several Courts by a sworn Marshal, and that at *Port-Royal* all Summons shall be delivered Ten Days before the Courts, otherwise it shall be deemed and taken as no Service, and the Defendant not bound by it to appear; and that all Replevins, Foreign Attachments at the Supreme Court and Warrants of Arrest be served at any time as heretofore; and that no Execution shall be taken out, served or executed until Twenty Eight Days be fully expired after Judgment, except

except at *Port-Royal*, where Execution shall issue Ten Days after Judgment obtained; and that no Negroes, Horses, or any manner of Utensils belonging to a Plantation, Brick or Pot-Work, nor any other Negroes whatsoever, from and after the making hereof, shall be taken in Execution, where the Party against whom the Execution is obtained, shall offer Goods for satisfaction of the Debt and Costs of Suit.

And it is further enacted, That the said Defendant who hath his Goods taken upon Execution shall have free liberty to convey and carry off the Goods so taken at his own proper Costs and Charges to the next and most convenient Place and Market for disposal of the said Goods, and there shall have free Power and Liberty to make Contracts, bargain for and sell the Goods so taken in Execution, the Defendant first acquainting the Marshal who levied the Execution upon the Goods, with such Bargain or Contract, to the end the Marshal may deliver the same, and receive the Produce thereof according to his Precept.

And it is further enacted by the Authority aforesaid, That if the Defendant, after his Goods shall be so taken in Execution

ecution as aforesaid, shall delay or neglect selling or disposing of the Goods until Ten Days before the next ensuing Court, that then and in all such Cases, it shall and may be lawful for the Marshal to take the said Goods and Chattles of the Defendant, and the same to sell by Publick Outcry.

And it is further enacted by the Authority aforesaid, That where no such Goods as aforesaid shall be shewn and offered to the Provost Marshal, so that the Negroes, Working Cattle, or necessary Utensils must be taken in Execution, that then and in all such cases the said Negroes, Horses or Utensils shall not be removed, but remain still in the Defendants Possession, and that upon the Marshals return at the same Court as aforesaid, that he hath levied such Effects and left them in the Defendants hands, there issue out a *Venditioni Exponas*, without any charge of Mile-Money, in these Words following.

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The King to the Provost-
Marshal, Greeting.

WHereas we lately Commanded thee by
our Writ, That of the Goods and
Chattles real and personal of A. B. Thou
shouldest levy or cause to be levied
as also

Costs of Suit which C. D. hath
recovered against him; by Virtue of which
Writ thou didst return unto Us, that thou
hadst taken in Execution of the Goods of the
said A. B. to the Value of the said Debt
and Costs of Suit, which said Goods remain
in the Custody of the said A. B. by thee in
form as aforesaid taken, thou expose to sale,
and the Money thereof coming thou immedi-
ately render to the said C. D. for his Debt
or Damages and Cost as aforesaid; but if the
Goods aforesaid shall be imbezzel'd or made
away, or that the said A. B. doth not deli-
ver the same, that then thou levy the said
Debts or Damages and Costs upon any o-
ther the Goods and Chattles of the said
A. B. and immediately expose them to sale,
and if thou canst not find sufficient Goods or
Chattles, by which the whole Debt or Da-
mage and Costs may be satisfied, that then
you take the Body of the said A. B. and
him

him safely keep, so that thou have his Body before Us, at Our next Court, to satisfie the said C. D. of the said Debt or Damages and Cost, or so much thereof as by thee cannot be payed, and have thou then and there this Writ. Witness, &c.

By virtue whereof the said Goods shall be sold by publick Outcry at the next Court of the Precincts, where the Goods are taken; and if they are so arrested or taken in the Parish of St. Catharines, St. Dorothy's, St. Thomas in the Vale, or St. John's, until they shall have petty Courts of their own erected, Publication shall be then made at the same Court that the Return is made, that the said Goods shall be sold Twenty Days after by Publick Outcry in the Parade place of St. *Jago de la Vega*: and the Money arising from the said Sale shall not remain in the Marshals Hands, but be paid to the Plaintiff or his Order within Ten Days, under the Penalty of half the Debt, to be recovered by the Plaintiff to his own Use, in any Court of Record within this Island, where no Essoign, Protection, or Wager of Law shall be allowed.

And

And it is further enacted by the Authority aforesaid, That where the Person against whom such Execution is issued, hath not the Goods afore-mentioned in this Act by him to shew and offer to the Marshal within the time prescribed, that nevertheless the Marshal shall not lay the Execution upon any Negroes, Working-Cattle, or Utensil upon or belonging to any Plantation, Brick or Pot-Work, or any other Negroes whatsoever, if the Defendant shew or deliver to him any other Stock or Cattle being in a Pen, the said Cattle or Stock to be sold by publick Outcry, upon *Venditioni Exponas*, to be issued as aforesaid.

And it is further enacted and ordained by the Authority aforesaid, That all Accidents that happen, whilst the Goods that are taken in Execution remain in the Defendants Possession, be born and made good by the Defendant, and that no property shall be by the Defendant transferred or made in or to any such Goods that shall be so taken in Execution by virtue of this Act. *Provided* always and it is hereby further enacted and declared, That where the Body of the Defendant shall be taken in Execution, that nevertheless if any Effects afterwards appear,

appear, the Plaintiff may take out another Execution, and levy the same on the said Effects, for satisfaction of the said Debt, any Law, Custom or Usage to the contrary notwithstanding.

And it is further enacted by the Authority aforesaid, That where any Prisoner or Prisoners under Execution shall have nothing to maintain him, her or themselves, that then he, she or they disclosing the same upon Oath unto two Justices of the Peace of the Parish where he, she or they shall be Prisoners, and making it appear to the Judges of the Supreme Court, that he she or they have given notice to all their Creditors Ten Days before the said Court, that they or either of them intend to take the benefit of this Act, bringing likewise to the said Court a Certificate of such their Oath under the Hands and Seals of the said Justices, that then the Prisoner or Prisoners so taken in Execution shall be publickly let to hire at the said Court, the Marshal Receiving for his Fees a proportionable share with the other Creditors, and the Money so arising from the said Hire shall be paid to such Persons as the Court shall appoint, to be equally divided among the Creditors as aforesaid ;
but

but in case any Creditors shall refuse to consent to letting the said Prisoner or Prisoners to hire, that then such Creditor shall pay or cause to be paid to the said Prisoner or Prisoners Three Shillings and Six Pence Weekly. *Provided* always, and it is hereby enacted, That if any Prisoner or Prisoners so let to hire shall at any time afterwards come to have or enjoy an Estate, having not first satisfied their Debts, that then at all times hereafter the Judgment obtained against him, her or them, shall remain good and in force, and another Execution shall be taken out and levied against the Goods and Chattles of the said Prisoner or Prisoners, wheresoever they shall be found.

And be it further enacted by the Authority aforesaid, That if the Provost Marshal by himself or any of his Deputies shall levy any Execution in any other manner than what is herein before declared, or shall ask, demand or receive any Mile-Money for the Executing any Writ of Execution or *Venditioni Exponas*, shall forfeit one Hundred Pounds Currant Money of this Island for every such Offence, to be recovered in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed; the

the one Moyety whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, the other Moyety to the Party aggrieved.

And it is further enacted by the Authority aforesaid, that the several Fines, Forfeitures and Penalties beforementioned in this Act, and not declared how they shall be disposed of, shall be recovered in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed, the one Moyety whereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, and the other Moyety to the Informer, or he that shall sue for the same.



An A C T

*Appointing where the Laws of this
Island shall be Lodged.*

W *Hereas* no place hath been hitherto appointed for the lodging and securing the Acts of this Island, so that his Majesties Subjects have been at no Certainty where to find the same, and take Copies thereof, to their great Detriment and Inconveniency; for remedy whereof for the future, be it enacted and ordained by the Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That from and after the end and determination of this present Session, as well the Original Acts heretofore made and enacted since the Seventeenth Day of *March*, in the Year of our Lord one Thousand six Hundred and Eighty, as those also herewith, or that shall hereafter be enacted, shall be Lodged in the Secretaries Office of Enrolments at St. *Jago de la Vega*, and not elsewhere; and the Secretary for the time being shall at all Office Hours be ready to shew all or any of the said Acts when

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there-

thereunto required by any of his Majesties Subjects as may or shall have occasion to View the same, and shall give Copies thereof, or any Clause in any of them contained, for which he shall be allowed Eight Pence *per* Sheet, accounting Sixteen Lines to a Sheet, and Fourteen Words to a Line, and that he shall likewise be allowed for, comparing and examining any Copy containing the whole Body of the Laws, with the Originals, Forty Shillings Currant Money and no more. And to the end his Majesties Subjects may be fully satisfied, no Embezzelment, Razure, or Defacements of the said Acts, or any of them shall for the future be committed in the said Office, it is enacted and ordained by the Authority aforesaid, that the Secretary of this Island, or his Lawful Deputy that shall Act in his Room or Stead, shall give in Bond with good and sufficient Security to our Sovereign Lord the King, his Heirs and Successors, in the Penalty of Four Thousand Pounds in the following Condition.

THE Condition of this Obligation is such, that if the above bound A. B. shall and do well and faithfully Execute

cate and Perform the Offices and Places of Secretary, and Clerk of the Enrolments for this his Majesties Island of Jamaica, and also faithfully and truly keep and preserve in his said Office, all and every of the Acts of this Island made since the Seventeenth Day of March, in the Year of our Lord God One Thousand Six Hundred and Eighty, so that his Majesties Subjects may have recourse thereunto, and do in all things else comply with the Duty of the said Offices according to the Trust reposed in him, and according to the Laws of this Island in such Cases made and provided, that then the above-written Obligation to be void and of none Effect, or else to remain in full force and virtue.

Provided always, that neither the said Secretary nor his Deputy for the time being, do or shall from and after the Twentieth Day of November next ensuing, presume to Act or Officiate his said Office until he or they shall enter into the aforesaid Bond, with the Condition before recited, upon Penalty of Five Hundred Pounds for every time he or they shall so Officiate or Act in his said Office, to be recovered in the Supream Court of Judicature in this Island, by Bill, Plaint or Information, wherein no Essoign, Pro-
K 2
tection,

tection, Injunction, Wager of Law, or *Non vult ulterius prosequi*, shall be admitted or allowed; the one half to be to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of his Majesties Island and the contingent Charges thereof, and the other half to the Informer, or him that shall sue for the same, any Law, Custom or Usage, to the contrary in any wise notwithstanding.

Provided also, and be it hereby declared, That if the Secretary or his Lawful Deputy for the time being in this Island, shall enter into Bond as aforesaid, which said Bond shall be lodged as is appointed in an Act entituled, an Act for Regulating Fees, that then it shall be accounted sufficient to discharge him or them from entring into any other Bond, or Security required by the Acts of this Island, any thing herein or in any other Act to the contrary notwithstanding.

Which

WHich Laws having upon the perusal of the Right Honourable the Lords of the Committee of Trade and Foreign Plantations, been presented to his Majesty at this Board, his Majesty was graciously pleased (with the Advice of his Privy Council) to approve and confirm the same for the space of Seven Years, to commence from the first of October last preceding the Date hereof; And pursuant to his Royal Pleasure thereupon signified and expressed, the said Laws are hereby approved and confirmed for the space of Seven Years accordingly.

John Nicholas.

An A C T

Requiring all Masters of Ships and Vessels to give Security in the Secretaries Office.

BE it enacted by the Governour, Council and Assembly, and it is enacted and ordained by the Authority of the same, That the Master of every Ship or Vessel, or some other for him in case of disability, before he Trade within this Island, or Land any Goods on the same (living Creatures only excepted) shall wait upon the Governour or Commander in Chief for the time being, and give in Security in the Secretaries Office, with one sufficient Freeholder or well known Merchant, such as by common Repute is held to be worth so much, in the Sum of one Thousand Pound Currant Money of this Island, that he shall not carry off this Island any Person without the Governours Ticket, nor Depart himself with his Ship or Vessel, without the Governours Leave, under the Penalty of Fifty Pounds Currant Money of this Island, to be recovered by due course

course of Law, in any Court of Record within the same: one Third thereof shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, one Third to the Governour or Commander in Chief for the time being, and the other Third to the Informer, which Security the Secretary of this Island for the time being is hereby Impowered to take.

Provided always, and it is the true Intent and Meaning of this *Act*, That the Masters of all Sloops, Barks and Vessels, Trading to and from any Parts, Ports and Harbours within this Island, or that shall be employed in Turtling or Fishing, for the use of this Island, shall be obliged to give Security in the Secretaries Office but once every Year, and that all Masters of Sloops, Barks, and any other Vessels belonging to the Inhabitants of this Island, Trading to and from this Island, shall be obliged to give Security, in manner and form as aforesaid, but once in six Months, any thing in the *Act* seeming to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That the Secretary of
K 4 this

this Island for the time being, or his lawful Deputy, shall not deliver any Person a Ticket under the Hand of the Governour to go off this Island; unless his Name have been set up in the Secretaries Office one and Twenty Days; a List of which Names shall be duly set up in the Secretaries Office, both at St. *Jago de la Vega*, and *Port-Royal*, and that the said Person do bring before him one or more of good credit and repute to make Oath, which Oath any Justice of the Peace (except the said *Secretary*) is hereby Impowered to administer, that he hath known him or her to go by that Name for one Year, if he or she have been here so long, if not, then that he hath known him or her by that Name so long as he or she hath lived in this *Island*, and that the said Affidavit be kept filed in the said Office, otherwise that he take good Security for the paying such Persons Debts so departing; all which the said Secretary is bound to observe under the Penalty of being liable himself to satisfy all the Creditors of such Person or Persons, or Masters or Mistresses of Servants, so obtaining a Ticket, or otherwise carried off by any Master of Ship or Vessel that shall not have given sufficient Security according

ing to the Intent and true Meaning of this Act, by which the aggrieved Person shall by Virtue of this Act have remedy at Common Law against the said Secretary, Deputy Secretary or his or their Security; *Provided* nevertheless, that if the said Bonds are not sued within two Years after their several dates, they are hereby declared *null* and *void* to all Intents and Purposes whatsoever. *Provided* always, and it is hereby declared to be the true Intent and Meaning of this Act, that the said Bonds so given as aforesaid shall be taken in the Kings Name, but are hereby declared to be only to and for the use, and in trust for the Person or Persons concerned. And that when any of the said Bonds shall be put in suit, and Judgment thereupon obtained, the Judgment shall remain in the same nature the Bonds were, and that no Execution Issue out thereupon before the Person aggrieved shall by *scire facias* or other Process, summon the Person or Persons against whom the Judgment aforesaid is obtained, to appear and shew cause why Execution should not Issue upon the said Judgment; and if the Plaintiff in the said *scire facias* shall duly prove what damages he hath sustained, and thereupon a Verdict be found
for

for him, the Judges shall in such cases award Execution for so much as the Jury shall then find and no more, and the former Judgment is hereby declared still to remain Cautionary for the satisfaction of such other of his Majesties Subjects as shall Legally prove themselves damnified, and recover the damages as aforesaid by due course of Law; and if any Judgment have been already obtained and thereupon Execution taken out for the whole Sum mentioned in the Bond, that in such cases the said Judgment remain in force, but that all Process thereupon do surcease and be stopt, and that no benefit he had of the said Judgment before the *Scire facias* be taken out, and the Damages legally proved as aforesaid.

Provided also, That the said Secretary or his Deputy, be obliged to keep his Office both at *Port-Royal*, and *St. Jago de la Vega*, and give attendance at both Places from Eight to Eleven of the Clock in the Morning, and from Two to Five of the Clock in the Afternoon, except on *Sundays* and such Holy Days as are usually observed in this Island, under the Penalty of Twenty Pounds Currant Money of this Island, one Moyety whereof to be to our Sovereign Lord the King, his Heirs and Successors,

cessors, for and towards the support of the Government of this Island and contingent Charges thereof, the other Moyety to the Informer, to be recovered in any Court of Record by Action, Bill, Plaint, or Information, wherein no Essoign, Protection or Wager of Law shall be allowed.

An A C T

*Encouraging the Settling of
this Island.*

BE it enacted and ordained by the Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be Lawful for the Governour or Commander in Chief for the time being, or any of his Successors, Governours of this Island, by Instrument under the Broad Seal of the same, to make any Alien or Aliens, Foreigner or Foreigners, being already Settled in this Island, or such as shall hereafter come to settle and plant in it, having first taken the Oath of Allegiance, to be at all
Intent

Intents and Purposes fully and compleatly Naturalized ; and that the said Person so approved of and named in the said Letters Patents, as aforesaid, shall by virtue of this Act have and enjoy, to them and their Heirs, the same Immunities and Rights of and unto the Laws and Privileges of this Island, in as full and ample manner as any of his Majesties natural born Subjects have or enjoy within the same, or as if they themselves had been born within any of his Majesties Realms, or Dominions, any former Law, Act, Ordinance, Usage or Custom to the contrary notwithstanding. And to the Intent the said Letters Patents and Instruments under the Broad Seal of this Island aforesaid may be obtained without any great difficulty or charge, be it therefore enacted and ordained by the Authority aforesaid that the Governour or Commander in Chief shall have and receive for the same Five Pounds Currant Money of this Island, and his Clerk for writing of it Ten Shillings, and no more shall be paid to any Person or Persons for the passing the same upon any pretence whatsoever : And whereas several Aliens and Foreigners that have formerly transported themselves to this his Majesties Island, have

have taken up and patented in their own Names several parcels of Land, or otherwise made purchases of Lands, Houses, or other real Interest, and afterwards the same have been sold, devised or else taken by Escheat or *Cessavit* and granted to any of his Majesties Liege People, Inhabitants of this Island: It is therefore hereby enacted and ordained by Authority aforesaid, That all such Person or Persons that have so bought or do hold by virtue of any device of any Alien or Aliens, any Lands, Houses, or Tenements, be as well secured, and by virtue of this Act be for ever confirmed in the quiet and peaceable Possession of all such purchases or devices, as if they had been sold or devised by any of his Majesties Natural born Subjects, and shall be good to their Heirs and Assigns for ever, any former Law, Custom, or Usage to the contrary in any wise notwithstanding.

An

An A C T

*For Ordering Boats and Wherries,
and better Government of Sea-
men.*

BE it enacted by the Governour, Council, and Assembly, and it is hereby enacted by the Authority of the same, that no Shallopman, Boatman or Wherryman, or any other Person or Persons Employed in any Shallop, Boat, Wherry or other Vessel, shall ask or demand for transportation of any Goods, Person or Persons, but according to the Rates hereafter mentioned, *viz.*

For a Boat or Wherry from *Passage-Fort* to *Port-Royal*, *Salt Ponds*, or *St. Andrews*, or from *St. Andrews* to *Passage-Fort*, or backwards from any of the aforesaid Places in the Day time Two Shillings and Six Pence, and in the Night Three Shillings, and at usual times when there are Six Passengers or more, of every Person Six Pence; and whatsoever Wherryman shall refuse to carry any Person to or from the aforesaid Places at the Rate aforementioned shall forfeit Twenty Shillings,

lings, to be recovered from the Owner of such Boat by a Warrant of distrain from any of his Majesties Justices, and to be disposed of for the Poor of the Parish.

And the Freight of any Goods or Liquors betwixt any of the aforesaid Places, Three Pence the Hundred.

For any quantity not exceeding a Barrel, Seven Pence Half-Penny *per* Barrel, and Eighteen Pence *per* Hogshead.

And that no Boatman or Shallopman have for the Freight of one Hundred Weight of any Goods, if he brings them from the North side of this Island, between the Eastermost point and point *Negril*, to any part of the South side, more than Two Shillings, *Provided* the same exceed not the quantity of a Barrel.

For every Barrel Three Shillings.

And for every Hogshead Eight Shillings, and so proportionably for a greater quantity than a Barrel.

And for every Head of great Cattle brought alive Ten Shillings.

And for a Sheep or a Hog Twelve Pence.

And for every Passenger Two Shillings.

And

And the same Rates they shall receive for Passengers, Goods or Cattle, from the South side to the North side, and that each Boatman have for the Frieght of any Goods from *Port-Royal* to *Port-Morant* or *Richardsons Bay*, or any Landing Place to *Port-Royal*, Nine Pence *per* Hundred, not exceeding an Hogshead, except it be Barrels at Two Shillings *per* Piece.

And for an Hogshead Five Shillings.

And for Wood which they shall carry at Ten Shillings *per* Ton.

And Eighteen Pence *per* Head for Passengers.

And that they shall have from *Port-Royal* to any part of *St. Davids*, or from any part of *St Davids* to *PortRoyal*, Six Pence for every Hundred, not exceeding an Hogshead.

And for every Hogshead Four Shillings.

And for every Passenger Twelve Pence *per* Head.

And for every Ton of Wood Eight Shillings *per* Ton.

And that the said Boatmen or Shallopmen shall demand and receive for Freight of any Goods they shall carry to *PortRoyal* from any Landing Place between *Point Negril*

Negril and Point Pedro, Eighteen Pence per Hundred.

Two Shillings per Barrel, and Six Shillings per Hoghead.

And from *Aligator Pond*, Twelve Pence per Hundred, and Six Shillings per Hoghead.

And from *Milk River*, Twelve Pence per Hundred, Two Shillings per Barrel, Five Shillings per Hoghead.

From *Carlisle Town*, Twelve Pence per Hundred, Two Shillings per Barrel, and Four Shillings and Six Pence per Hoghead.

And from *Old Harbour*, Six Pence per Hundred, Fifteen Pence per Barrel, Three Shillings per Hoghead.

And that the said Boatmen shall receive the said Rates from *Port-Royal* to any of the said places.

And whatsoever Shallopman, Boatman, or Wherryman, or any other Person or Persons Employed therein, shall demand greater Rates than is mentioned in this *Act*, shall forfeit Ten Pounds Sterling for every such default.

The one half to be to our Sovereign Lord the King, for and towards the support of the Government of this Island, and the contingent Charges thereof.

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And

And the other half to the Informer, who shall sue for the same in any Court of Record, wherein no Essoign, Protection, or Wager of Law shall be allowed.

And be it further enacted and ordained, That no *Negro*, *Indian*, or *Mulatto*, shall be permitted or allowed to row in any Wherry belonging to this Island; and that no Owner of any Canoa shall be permitted to Imploy any of them without having one White Man therein; and that all Owners of Boats, Wherries, or Canoas, shall every Night Chain and Lock every of them to some Bridge or firm Post, and also take away the Oars, Sails and Rudder, and secure them in some safe Place under Lock and Key.

And whatsoever Master or Owner of any Wherry, Boat, or Canoa shall offend in any of the foregoing Clauses, shall forfeit for every such Offence Ten Pounds Sterling, to be recovered and disposed of as aforementioned.

Provided always, and it is hereby intended, that each Master or Owner of Wherry, Boat or Canoa, shall have Six Months time allowed them from the making hereof, to furnish themselves with White Men in order to the performance of this present *Act*. And

And it is enacted and ordained by the Authority aforesaid, that all Masters of Boats, Shallops, or other Vessels that Trade from place to place in or about this Island, shall every time they arrive at *Port-Royal*, leave an account of their Loading in Writing at the *Naval Office* at any time between Sun and Sun.

Provided that their Loading is nothing but the Growth, Production, or Manufactury of this Island, and such notice and account given in writing as aforesaid shall be accounted a sufficient entry, and discharge any such Master from any trouble whatsoever.

And it is further enacted and declared by the Authority aforesaid, That any Person or Persons who shall hereafter be indicted or impleaded for the stealing or feloniously taking away of any Shallop, Boat, Wherry, Canoa or other Vessel, from any part of this Island, or shall be consenting, aiding, or assisting to the doing of the same, and shall thereof be convicted according to Law, shall be adjudged guilty of Felony.

And it is further enacted and declared, That if the intention, contrivance, or plotting of any Person with others to steal away any Shallop, Canoa, Boat,
L 2 Wherry,

Wherry, or other Vessel, shall evidently appear by sufficient Proof, or their own Confession, the Offender or Offenders, if free, shall be condemned by the Justices in Sessions to pay the Sum of Ten Pounds to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof.

And if the said Person or Persons so found guilty shall not presently pay the said Ten Pounds, or give Security for the same, the Justices in Sessions shall presently expose the Offender or Offenders to publick Sale for the payment thereof, not exceeding the Term of Four Years.

But if the said Person or Persons so Offending shall be Servants, then he or they shall be ordered by the Justices in Sessions to be whipt, not exceeding Thirty Nine Lashes, on the bare Back, in some publick place in the said Island, and also that he or they so Offending shall after their time expired by Indenture, Custom, or Covenant with his or their Master, Mistress or Employer, be sold by the Justices in Sessions for the Term of Four Years, and the Money that he or they shall

shall be Sold for shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof.

And it is further enacted by the Authority aforesaid, that no Seaman belonging to any Ship or Vessel whatsoever, shall be trusted for any thing, and that whosoever shall trust him or them, or retain any of them in their Houses, shall lose his or their Money which they so trusted them withal, and be likewise liable to be proceeded against, as by the *Act* of this Country for retaining Mens Servants, and to be subject to all those Penalties therein mentioned, (excepting matter of Trade) and if any Victualler or Retailer of strong Liquors do trust any Sea-faring Man, not generally residing upon or belonging to this Island, above the value of Forty Shillings, though he have Bond or Bill for the same, he shall lose his or their Money which they so trusted them withal.

And if any Commander of Ship or Vessel shall entice away any Seaman belonging to any other Ship, before he be Lawfully discharged, he shall forfeit fifteen Pounds Sterling.

The one half thereof to the use of our Sovereign Lord the King, for and towards the support of the Government of this Island, and the contingent Charges thereof.

And the other half to him or them that shall sue for the same, in any Court of Record, by Bill, Plaint or Information, any thing herein or any other *Act* containing to the contrary notwithstanding.

And whereas many times disputes have risen at *Port-Royal* about executing the Warrants of Justices of the Peace upon the Water which is within the Body of the said Precinct.

It is therefore enacted by the Authority aforesaid, that all such Warrants given by Justices of the Peace, against any Person or Persons, on Board any Ship or Vessel, be directed to the Provost-Marshal or his Lawful Deputies, or any of the Lawful Constables of the place according to the tenor of the said Warrant, who are hereby Required and Impowered to execute the said Warrant and to receive for the same Three Shillings.

And whereas divers Seamen, out of an Opinion of Imploying themselves here to better Advantage, have taken an Occasion
to

to desert the Ships they belong unto, just as they are ready to Sail, to the great endangering both Ship and Cargo.

Be it therefore enacted by the *Authority* aforesaid, that whatsoever Seaman shall desert the Ship he belongs unto, and shall be found or taken after the departure of the said Ship, and cannot produce sufficient testimony of his being Lawfully discharged by the Master or Commander thereof, shall by order of any one Justice of the Peace receive Thirty One Lashes on the bare Back by the Common Hangman, or other Inferiour Servant of the Prison, who shall hereby be Comanded in any publick manner the said Justice shall direct.

And forasmuch as divers Inconveniences happen by the disorderly going on board Ships before the Master hath been on Shore with the Governour, as well in the Miscarriage of Letters, as the ingrossing the most useful Commodities.

Be it further enacted by the *Authority* aforesaid, that no Person whatsoever, without leave of the Chief Officer upon *Port-Royal*, shall presume to go on Board any Ship or Vessel at her entring into Harbour, until the Marshal or his Deputy have first been on Board with the Master,

and brought him on Shoar to the said Chief Officer, under the Penalty of Forty Shillings, to be recovered by Warrant from any Justice of the Peace, in the same manner as is directed in the *Act* Impowering Justices to decide all differences not exceeding Forty Shillings; the one half to the Informer, the other half to the Poor of the Parish.

And be it further enacted by the *Authority* aforesaid, That no Master, Merchant, Factor, or other Person whatsoever, presume to Treat, Grant, or obtain a Promise for any Merchandize or Commodity, to the value of Ten Shillings, or any quantity of Tonnage or Freight, until the Master hath been with the Governour or Commander in Chief of this Island, or some other Officer as he shall appoint, under the Penalty of Fifty Pounds on each Person that shall so Treat, Grant, or obtain a Promise as aforesaid, any Custom or Usage to the contrary heretofore notwithstanding; the same to be one half to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, and the other half to the Informer, to be recovered by Bill, Plaint, or In-

Information in any Court of Record
within this Island.

An A C T

For Regulating SURVEYORS.

BE it enacted by the Governour,
Council and Assembly, and it is
hereby enacted and ordained by the *Au-*
thority of the same, That no Person what-
soever shall presume to act or perform
the Office or Employment of a Surveyor-
General within this Island, before he
hath given good and sufficient Security
in the Sum of Four Thousand Pounds
Currant Money of this Island, for the
just and faithful performance of his Of-
fice and Trust, according to the Duty of
his said Office and Employment, and that
the Bonds for Security be carefully kept
and recorded in the Secretaries Office;
and upon any Damages received by any
Person from the said Surveyor, or any
Deputed under him in the negligent or
corrupt performance of his or their Sur-
veys, and due application thereon made
to

to the Governour, the said Bond shall be put in Suit, and due Recovery thereon made, for such Damages as they shall prove to have received, in the same manner and form as is declared and provided by the *Act*, entitled, An *Act* requiring all Masters of Ships and Vessels to give Security in the Secretary's Office,

Provided always, and it is the true Intent and Meaning of this *Act*, That it shall and may be Lawful for any Person or Persons whatsoever to Survey, Resurvey and run any dividing Lines, and give Plats of any Land already Patented, or that shall be Patented or Surveyed within this his Majesties Island, except where the King is or shall be a Party, in which case only the Surveyor-General, his Deputy, or Deputies, or any other Person thereunto Lawfully Authorized by the Governour for the time being, shall Survey, Resurvey or run dividing Lines and give Plats thereof, any Law, Custom, or Usage, seeming to the contrary in any wise notwithstanding.

Be it further enacted and ordained by the *Authority* aforesaid, That the Surveyor-General, or any other Person thereunto Lawfully Authorized as aforesaid, shall by himself, or his Deputy, or Deputies, execute

execute every such Order or Warrant for the Surveying or running out of Lands, as from Time to Time shall be directed to him or them as aforesaid, within a reasonable time after the proving of such an Order or Warrant; that is to say, in any place within the Parishes of *St. Catharines, Port-Royal, or St. Andrews*, within one Month, in any place within the Parishes of *Vere, Clarendon, St. Dorothy, St. John, St. Mary, St. Thomas in the Vale, St. David or St. Thomas* to windward, within Three Months, and in any other Parish whatsoever within this Island, within Six Months, upon Penalty of one Hundred Pounds Currant Money of this Island, for every such Default; the one half to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, and the other Moyety to the Person aggrieved, or to him that shall sue for the same, to be recovered in any of his Majesties Courts of Record within this Island, by Bill, Plaint, or Information, wherein no Essoign, Protection, or Wager of Law shall be allowed.

Provided always, That if any Person, under the pretence of Surveying Lands, shall

shall cause the Surveyor or any of his Deputies to take a Journey, and when he comes at the Time and Place assigned, shall not be there ready to shew him the Land that is to be Surveyed, so that he cannot perform the same, the Parties aforesaid shall pay and satisfie unto the said Surveyor or his Deputy Ten Shillings *per diem* for every Day he shall so lose, for his Pains and Charges in the said Journey.

And be it further enacted by the *Authority* aforesaid, That the said Surveyor General, by himself or his Deputy, erect his Office at the Town of St. *Jago de la Vega*, under the Penalty of Five Hundred Pounds Currant Money of this Island, to be recovered and levied as aforesaid; and that he or his Deputy keep or attend his Office from Eight to Eleven in the Forenoon, and from Two to Five in the Afternoon, every Day except *Sundays* and Holy Days, under the Penalty of Forty Shillings, to be recovered by Warrant from any Justice of the Peace to the uses aforesaid, any Custom or Usage heretofore to the contrary notwithstanding.

Provided, That a power be left in the Kings Majesty and his Officers, to re-examine

amine the Surveyors for what concerns his Majesty.

An A C T

For further Directing and Regulating the Proceedings of Surveyors.

FOrasmuch as it hath been found by Experience, that the *Act* Entitled *An Act for Regulating Surveyors* hath not sufficiently provided against the several abuses by fundry evil disposed Surveyors, formerly, and now also often done and committed contrary to their Duty, and the Trust reposed in them, to the damage of his Majesty, and of his Liege People of this Island, and which in some cases may tend to the utter ruin of many of his good Subjects; for prevention whereof, be it enacted by the Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That no Surveyor whatsoever presume to deliver any Plat, whereby any parcel of Land shall pass the Broad Seal of this Island, before he hath himself in his own Person actually Surveyed

ed and Measured the said Land on every side thereof, where it is accessible and possible to be done, and hath also seen the Lines fairly made, and the Corner Trees marked with the first Letters of his Name and Sirname expressed in the Order, and that the said Plat shall truly represent the respective parcels of Land, with their true bounds and bearings, and expressing the sort of Wood every Corner Tree is of, with the Alphabetical Marks aforesaid, and also insert the Scale of the same, either drawn or expressed therein, under the Penalty of Fifty Pounds for every such Default.

And be it further enacted and ordained by the Authority aforesaid, That where any Surveyor shall be called or employed to Survey or Resurvey any parcel of Land bounding upon any Land already taken up, the said Surveyor, before he presume to run upon any such Lines, shall give notice thereof to the reputed Owners or Possessors of the said Land, if he know them, and that they are Inhabitants in the Precinct where the said Survey or Resurvey is intended to be made or done; and if he do not know the Owner of the said Land, or that the said Owner dwell not in the Precinct, that

that then he give notice to the two next Neighbours, under the Penalty of Twenty Pounds for every such Default.

And be it further enacted and ordained by the Authority aforesaid, That no Surveyor shall presume to Survey or lay out any Land to pass the Broad Seal of this Island, directly or indirectly for his own use, but shall imploy some other Surveyor to do the same, under the Penalty of Fifty Pounds.

And whereas fundry Surveyors have practised to give Plats to pass the King's Grant for several parcels of Land, upon some of which Parcels they have either through negligence or evil design, never made any actual Survey, *viz.* either Marking one Corner-Tree or more, and running and marking no Lines, but projecting the whole, or else some part where the natural Situation of the Land would well permit the due Survey and cutting Lines, which tends to the dishonour of his Majesty, and great damage, even in some case, to the ruin of many of his good Subjects of this Island, be it therefore enacted and ordained by the Authority aforesaid, That all present Surveyors who have given Plats whereby any parcel of Land hath passed the
Broad

Broad Seal of this Island, without actual Surveying on all sides where the Situation of the said Land makes it possible to be done, shall on request to them made at any time compleat any former Survey, according to the Plat by them given, running fair Lines where they had before projected only, and Marking Trees in the said Lines with three Notches in Wood-Land, according to Custom, and making fitting Marks in other Lands. And it is hereby also provided, That no Surveyor, or who hath executed the Office as a Surveyor, is hereby obliged to make Resurvey or cut Lines in Lands which have been patented more than Four Years; and whatsoever Surveyor or that hath executed the Office of a Surveyor in this Island, shall after due request as aforesaid, deny, refuse, or delay to cut the above-said Lines, and rectifie the above-mentioned Errors, in such manner as is before expressed, shall forfeit for every Three Months they shall so deny, refuse, or delay the same, the Sum of Twenty Pounds, to be recovered in any Court of Record in this Island, one half whereof to our Sovereign Lord the King, for the Publick use of this Island, and the other half to the Informer, Party

ty Injured, or who will sue for the same.

And for prevention of Disputes and Differences that may arise also of an evil practice of some Surveyors, who when an Order hath been given for running out Land, have made their own Advantages of the same, running it out for other Persons; It is also hereby enacted, That every Surveyor shall at any time, when an Order for the Survey of Land is offered him, immediately take a *Memorandum* thereof, with the place where the Party bringing it desires it should be run out, mentioning also the time of the receipt thereof, and shall also write the same on the back of the said Order, and shall also Survey the said Land accordingly for the said Person, if he be ready in reasonable time, after due notice by the said Surveyor given, to shew the said Land; and if it shall so happen, that the said Surveyor shall have received an Order already, which he believes is for the said parcel of Land, he shall then declare the same, and also shew the said Order, if desired, under the Penalty of Forty Pounds for every such default; and every Surveyor shall on every Survey return two Plats of the said Survey into the Pa-

tent-Office, the one to be left there, and the other to be affixed to the Grant.

And it is hereby also further enacted, That the Clerk of the Patents shall affix one of the two Plats delivered him by the Surveyor (as above provided) unto the Grant, and keep the other Plat in the said Office, without any Embezzlement of the same; and that the Secretary of this Island shall Record a true Copy of the Plat so affixed to the Grant or Patent, next unto the Record of each respective Grant or Patent; and that the Clerk of the Patents shall receive for Writing an Original Patent Ten Shillings, and no more; and if the Clerk of the Patents or Secretary of this Island shall Offend against any of the Clauses of this Act, he or they who shall so Offend, shall forfeit the Sum of Twenty Pounds for each Offence by him or them Committed.

And it is also hereby enacted, That every Surveyor or Clerk of the Patents, or any other Person in whose Hands soever any Original Plat is Lawfully Lodged, shall on request by any one made, give a true Copy of any Plat in their Possession, and receive Two Shillings and Six Pence for the same, and no more; and whosoever

ever aforesaid shall refuse or deny the same, shall forfeit Forty Shillings for every such Offence, to be recovered by Warrant from any Justice of the Peace, one half of which Forfeiture to be received by the said Justice, and paid by him to the Church-Wardens, for the use of the Poor of the Parish, and the other half to the party complaining.

And whereas in an Act, Entitled, *An Act for regulating Fees*, it is made Lawful for every Surveyor to receive Two Pence *per* Acre for all Lands by him or them Surveyed, *viz.* for the Survey of the same, and no more. It is hereby enacted by the Authority aforesaid, That it shall and may be Lawful for every Surveyor to receive one Penny *per* Acre more than the said Act allows; that is, Three Pence *per* Acre for Surveying any quantity of Land, and no more.

And it is hereby enacted, That every Person who shall receive a Commission from the Governour to be a Surveyor in this Island, shall give Bond with sufficient Surety in the Sum of Three Hundred Pounds, for the true and just performance of his Office, before he Act in the same, under the Penalty of Fifty Pounds for every such Offence; the said

Bond to be carefully kept and Recorded in the Secretaries Office, that upon any negligence or corrupt performance of their Office, it may be put in suit in the same manner as is declared and provided for the recovery of the Bond for Security, given by all Masters of Ships and Vessels, and appointed in the Act, Entitled, *An Act requiring all Masters of Ships and Vessels to give Security in the Secretary's Office.*

But it is hereby provided nevertheless, That if the Surveyor-General shall keep his Office, and perform the Duties herein required both in his own Person and his Deputies, and as is provided in an Act, Entitled, *An Act for Regulating Surveyors*, that then it shall and may be Lawful for the said Surveyor-General to employ Deputies as formerly hath been done; but that his Bond of Four Thousand Pounds mentioned in the aforesaid Act, shall remain Cautionary for Security, that himself, and also his Deputies, do well observe and perform all the Directions and Clauses of this Act for future Surveys, under the several Penalties therein expressed.

Be it further enacted by the Authority aforesaid, That if *Robert Felgate* or any Person

Person whatsoever, who have any Original Plat in their Custody, do not return the same into the Patent-Office, at or before the Five and Twentieth Day of *March* next ensuing, shall, upon due Conviction thereof, for every Plat so kept back, forfeit the Sum of one Hundred Pounds.

And it is also hereby enacted and ordained by the Authority aforesaid, That all Penalties mentioned in this Act, and no provision made where they shall be recovered, or how disposed of, shall be recovered by Bill, Plaint, or Information, in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed; one half of which Forfeitures shall be unto our Sovereign Lord the King, towards the support of the Government of this Island, and the contingent Charges thereof, and the other half to him or them that shall sue for the same, any Law, Custom, or Usage, to the contrary notwithstanding.

*A Supplemental and Explanatory
A C T.*

BE it enacted and ordained by the Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That the Minister of each Parish be constantly one of the Vestry, and that no Vestry presume to make any Order, without having first given timely notice to the said Minister to be there.

And be it further enacted by the Authority aforesaid, That the Inhabitants of the Parish of *St. Dorothy's* and *St. Thomas in the Vale*, pay all Parish Dues and Duties as formerly to the Parish of *St. Catherines*, till each be provided of a Church and Minister of their own, and that the Precincts of the *Magotty* pay all Parochial Duties to the Parish of *St. John* (reparation of the High-Ways only excepted) until there be a Church built and a Minister settled in the Parish of *St. Thomas in the Vale*; and when the Parish of *St. Dorothy* shall be provided of a Church and Minister, that then the Bridge lying over *Black River* shall be built and re-

repaired whensoever there shall be occasion for the same, at the common and equal Charge of the Parishes of *St. Catherine* and *St. Dorothy*; and the High-Ways from the Ford of *Rio Cobre* at the Crescent unto *Major George Nedham's Walk*, to be kept and maintained at the Charge of the Inhabitants of *St. Thomas in the Vale*.

Be it enacted by the Authority aforesaid, That a North North-West Line, from the Head of *Swift River*, to the South Bounds of *St. Anns*, shall be the Easterly and Westerly Bounds of the Parishes of *St. Elizabeth* and *Clarendon*.

And be it further enacted by the Authority aforesaid, That from and after the Twentieth Day of *December*, in the Year of our Lord one Thousand Six Hundred Eighty and Three, no Common Horse-Catcher presume to Ride or Drive in any *Savanna*, to take up any Horses, Mares or Colts, without having first given Bond, with sufficient Security, in the Sum of one Hundred Pounds, to the Justices sitting in open Sessions of the Peace for that Precinct, where the said Horse-Catcher shall Ride or Drive as formerly, under the Penalty of Ten Pounds for each Offence; which Bonds to be taken

in the King's Name, and due recovery thereon to be had, as is appointed in an Act requiring all Masters of Ships and Vessels to give Security in the Secretary's Office. And the said Horse-Catcher having given such Bond with Security aforesaid, shall obtain an Order from the Justices then sitting in Sessions, to Ride and Drive as aforesaid, any Law, Custom, or Usage, to the contrary in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That from and after the first Day of *December*, in the Year of our Lord one Thousand six Hundred Eighty Three, no Common Horse-Catcher whatsoever shall mark Horse, Mare or Colt, or any sort of Neat Cattle, without having first given notice in the Parish Church the Sabbath-Day before they intend to mark, under the Penalty of Twenty Pounds for every such Default.

And it is further enacted by the Authority aforesaid, That from and after the first Day of *December*, in the Year of our Lord one Thousand Six Hundred Eighty Three, it shall be inserted in the Bond of Masters of Ships or Vessels, giving Security in the Secretary's Office,
That

That no Master of any Ship or Vessel presume to carry off this Island any Slave or Slaves, without a Ticket under the Hand of the Governour or Commander in Chief, wherein shall be inserted the Owners Name, who shall also make Oath before some one Justice of the Peace, that the said Slave or Slaves is his or hers, or that they have sufficient Power from the Owner of such Slave or Slaves to transport the same, upon Forfeiture of double the value of such Slave or Slaves so carried off without such Ticket; one half of which Forfeiture to be to our Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, the other Moyety to him or them that shall sue for the same; and that the Secretary take Two Shillings Six-Pence as his Fee for each such Ticket, provided he insert as many in each Ticket as the Owner of the Slave or Slaves shall require.

And whereas it is thought fit and necessary, that Night Guards be duly and constantly kept in the Town of St. *Jago de la Vega*, be it therefore enacted and ordained by the Authority aforesaid, That from and after the Twentieth Day of
October,

October, in the Year of our Lord one Thousand six Hundred Eighty Three, at the Town of *St. Jago de la Vega*, there be constantly and duly kept each Night in the Year a Guard, consisting of Eleven Persons; that is to say, Three Troopers with a Corporal or other Officer, and six Foot-Soldiers with a Corporal or other Officer, such as the Captains of Troop and Company or their superiour Officers shall appoint; and whatsoever Officer or Soldier shall neglect his or their Duty herein, shall be fined in manner as is appointed for Non-Appearance in Arms in the Act for settling the Militia, any Law, Custom, or Usage, to the contrary notwithstanding,

And be it further enacted by the Authority aforesaid, That it shall and may be Lawful for any Captain of a Troop or Company within this Island, or other Officer impowered by the Act for settling the Militia, to Issue out Warrants for the levying of such Fines and Forfeitures, relating to any Person under the degree of a Captain, and direct the same as well unto the Marshal of each Regiment as the Serjeant or Corporal of the Respective Troop or Company, any Law, Custom, or Usage, to the contrary notwithstanding. And

And be it further enacted by the Authority aforesaid, That the Surveyors of the High-Ways for the several Parishes and Precincts of this Island, for the time being, upon any sudden or extraordinary Occasions for the repairing the High-Ways, shall represent the same to the Justices of the respective Precincts where the Ways are broken; upon which the Major Part of the said Justices, together with the Surveyors, are hereby empowered at any such time or times to lay a Tax upon the Inhabitants of the said Precincts, of such Money, Labour, or other things, as to them shall seem necessary and convenient for the immediate repair of the same, any former Law to the contrary notwithstanding.

Be it also enacted by the Authority aforesaid, That when any Sugar, Ginger, Anotto, Indico, Cacao, Cotton, or Piemonto, (being the Production of this Island) shall be taken upon Writ of *Venditioni Exponas*, the same shall be carried to *Port-Royal*, at the Charge and Risque of the Defendant, and there be appraised by the Church-Wardens for the time being, and in absence of one of the said Church-Wardens then by the Church-Wardens present, and either of the Church-Wardens of
the

the foregoing Year, and in absence of both the Church-Wardens for the time being, then by both the Church-Wardens that were for the preceding Year, the said Church-Wardens being first sworn to appraise the said Goods according to their just value, without Favour or Affection to either Party; which Oath any one Justice of the Peace is hereby impowered to administer; and the said Goods so taken and appraised shall by the Provost Marshal be forthwith delivered to the Plaintiff, for so much Money as the same shall be appraised at, which shall be taken and accepted by the Plaintiff, as so much Money effectually paid him, any former Law to the contrary notwithstanding.

And it is further enacted by the Authority aforesaid, That the said Church-Wardens shall receive from the Defendant Four Pence out of every Twenty Shillings value of what they shall so appraise; and if they or any of them shall refuse to appraise upon Oath the Goods so taken as aforesaid, he or they so refusing shall forfeit for every such refusal the Sum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Island; the
same

same to be one half to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, and the other half to the Informer or he that shall sue for the same.

Be it also enacted by the Authority aforesaid, That none shall be deemed or adjudged to be Freeholders of known residence, unless he possess Five Acres planted, or a House of the value of Ten Pounds *per Annum* on his Freehold, and all others shall be liable to an Arrest, any former Law, or Custom, to the contrary notwithstanding.

And whereas it is provided by an Act, Entitled *An Act for establishing of Courts, and directing the Marshal's Proceedings*, That Poor Prisoners, that have not wherewith to maintain themselves, may under certain terms and conditions therein expressed, be publickly let to Hire, towards satisfaction of their Creditors, by which divers Frauds have been committed: Be it therefore enacted by the Authority aforesaid, That no Prisoner hereafter shall have the benefit of that Act, until he or she have first delivered into the Court a true and perfect List of all the Debts, Goods
and

and Moneys, that he or she hath, or can claim in this Island, and there made a full assignment and delivery thereof unto the Provost-Marshal, for the use of the Creditors, and have further taken in open Court this following Oath.

I A. B. do swear, That I have now delivered into the Court a true and perfect List of all the Debts, Goods and Moneys, which I have, or can any way lay claim unto in this Island; and that there hath not been either by my self or any other by my direction made over, concealed, or any ways secured for me, any other Goods, Debts or Moneys, more than is there expressed, excepting only Five Pounds reserved for my necessary Subsistence: So help me God.

And the Goods, Debts, and Money, so assigned and delivered unto the Provost-Marshal, shall be by him accounted for and paid unto the said Creditors, in such Proportions as by the said Act is directed for the Hire or Wages of the said Servant, any Law, or Custom, heretofore to the contrary notwithstanding.

Provided also, That the several Fines, Forfeitures and Penalties, aforementioned in this Act, and not declared where they shall

shall be recovered and how disposed of, be one Moyety to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and contingent Charges thereof, the other Moyety to the Informer or him that shall sue for the same, in any Court of Record within this Island, wherein no Essoign, Protection or Wager at Law, shall be allowed, any Law, Custom, or Usage, to the contrary notwithstanding.

An A C T

For keeping open old Paths to Publick Watering-Places.

FOrasmuch as it hath not been hitherto provided by any of the Acts of this Country, to give full and sufficient power to the Justices of the Peace to grant Warrants to lay out, upon occasion, broad Paths to common and known Watering-Places, whereby the Inhabitants of this Island may in time be much prejudiced, be it therefore enacted and ordained by the

the Governour, Council, and Assembly, and it is hereby enacted by the Authority of the same, That upon notice given to any Justice of the Peace, he shall on request Issue his Warrant to the next Constable in the said Parish, to summon a Jury to meet at some convenient Place and Day therein to be mentioned, to view and lay out such Path or Roads as have been used to any Publick, Common, or known Spring, River, or Watering-place, for Seven Years last past; which said Justice is hereby impowered to administer an Oath to the said Jury, That according to the best of their Skills and Judgments they will lay out such Way as aforesaid; which having done, the Surveyor of the High-Ways is to make return thereof to the Justices of the next Quarter-Sessions of the Precincts, and if approved by the said Justices, shall be there Filed or Recorded, and after known for a publick High-Way; and where new Fences on both sides of the Path shall be needful, the same to be made and maintain'd at the Charge of the Precincts.

An A C T

*Appropriating certain Lands upon
Port-Royal to the Publick Use.*

WHereas some private Persons have Patented parcels of Land upon *Port-Royal*, and built Houses very near unto the Walls of *Christ-Church* and *Fort Rupert*, which not only encumber both, but may happen to endanger their loss or ruin, be it enacted and ordained by the Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That no Person whatsoever having Land on the South side of *Port-Royal*, between *Christ-Church* and the Sea, or at the Eastermost end of *Port-Royal*, within Two Hundred Foot of the Wall that runs near North and South crosses *Port-Royal*, commonly known by the Name of the *Breast-Work*, shall ever hereafter presume to build any House or other Fabrick thereon, and if any Houses are already Erected within the Limits aforesaid, they shall be pull'd down, any Law, Custom, or Usage to the contrary notwithstanding.

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And

And that all Persons having Land or Houses within the Limits aforesaid, may receive just and due satisfaction for the same, it is enacted and ordained by the Authority aforesaid, That Capt. *Peter Beckford*, Capt. *Reginold Wilson*, Capt. *Thomas Clerk*, and any other Person chose by the Proprietor, are hereby appointed and impowered to view the said Lands and Houses as aforesaid, and to appraise them according to their just and true value; and whatsoever the said Appraisers or any two of them, being first sworn by any one of his Majesty's Justices of the Peace, who is hereby impowered to administer the same, to appraise the said Lands or Houses according to the best of their Judgments, shall judge to be the value of the said Land and Houses, shall be deemed and taken for the full worth of the said Lands and Houses, and paid to the Proprietors out of his Majesty's Treasury of this Island, which payment, or (in case of the refusal of the Proprietors) tender of payment shall for ever be a Good Bar against any Title to any Land or Houses within the Limits aforesaid, any Patent, Deed, Law, Custom, or Usage to the contrary notwithstanding.

An ACT

For Punishing of Idle Persons and Vagabonds, and for Relief of the Poor.

WHereas divers Idle Persons and Vagabonds, though of able Bodies, use loitering, and refuse to work for reasonable Wages, in the several parts where such Persons happen to dwell and abide, not having living otherwise to maintain themselves, whereby the Charge of several Parishes may be much encreast; for prevention whereof, be it therefore enacted by the Governour, Council, and Assembly, and be it hereby enacted by the Authority of the same, That from and after the first Day of *January*, in the Year of our Lord God one Thousand six Hundred Eighty Three, the Justices and Vestry of each Parish within this Island, or the Major part of them, if to them it shall seem convenient and necessary, are hereby fully impowered to lay a reasonable Tax, for the building one or more Houses of Correction within their several Parishes, and for the providing Stocks of Money

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and

and all other things necessary for the same, and for governing the same, and for Correction and Punishment of Offenders thither Committed, such Orders as the said Justices and Vestry, or the Major Part of them, shall from time to time make, reform or set down in that behalf, shall be of force, and be duly perform'd and put in execution, any Law, Custom, or Usage, to the contrary in any wise notwithstanding.

And be it further enacted by the Authority aforesaid, That all Rogues, Vagabonds and other Idle Persons that shall be found wandring from place to place, or otherwise misordering themselves, shall be apprehended by the Constables or Tything-Men of each respective Parish within this Island, and to carry him or her so apprehended before some one Justice of the Peace of that Precinct; and if upon examination it appear, that the apprehended be Persons fit and able to Work, and do refuse so to do, but wander about as aforesaid, that then the said Justices shall order him or her to be whipped on the naked Back, not exceeding Thirty Nine Lashes in the whole, by the said Constable or Tything-Man, and shall be forthwith sent from Parish to Parish

rish by the Constables or Tything-Men of the same, the next straight Way to the Parish where he or she dwelt for one whole Year then last past. And for such other poor impotent Persons wandring from place to place as aforesaid, they shall be sent from Parish to Parish by the Constables or Tything-Men of the same, to the place of their last abode.

Provided always, and it is hereby further enacted, That no such Person or Persons as above-mentioned, shall be returned as aforesaid, if he, she, or they have continued to dwell in the said Parish above the space of Three Months; and whatsoever Constable or Tything-Man that shall neglect his or their Duty herein shall forfeit the Sum of Forty Shillings for every Default, one half of which Forfeiture to be to the Church-Wardens, for the Poor of the said Parish, and the other half to the Informer, to be recovered before any Justice of the Peace, any Law, Custom, or Usage, to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Church-Wardens of each Parish within this Island, with the assent of any two Justices of the Peace in that Pre-

cinet, to bind any poor Children belonging to the said Parish to be Apprentices where they shall see convenient, until such a Man-Child shall come to the Age of one and Twenty Years, and such a Woman-Child to the Age of Eighteen Years, or the time of her Marriage, to be as effectual to all Intents and Purposes as if such Child were of full Age, and by Indenture of Covenant bound him or her self, any Law, Custom, or Usage, to the contrary in any wise notwithstanding.

An A C T

For Vacating several irregular Grants surreptitiously obtained for Royal Mines, Shoal-Water, Anchorage and Fishery.

WHereas there have been several irregular Patents and Grants surreptitiously obtained, contrary to former Usage, Law and Publick Good of his Majesty's Island, for Fishery and Shoal-Water, in and about the Harbour of *Port-Royal*, and other Harbours, and the Water before

fore several Persons Land, and also Royal Mines, and also the Parade in the Town of St. *Jago de la Vega*, and the Fishery in and between *Rio Cobre*, and the Salt River in St. *Andrews* Parish; it is therefore enacted and ordained by the Governour, Council, and Assembly, and be it enacted by the Authority of the same, That all and every such Grants and Patents are and be hereby declared null and void, to all Intents and Purposes whatsoever, the said Letters Patents, or any thing in them or any of them contained, or other Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

And that no such Grants, or Patents as is now or shall be hereafter granted, that shall be prejudicial to Anchorage, Navigation, or Common Fishery, shall be good; provided always nevertheless, that all Owners of any Land, adjoyning upon any Harbour, Bay, or Creek, shall have Liberty to take up the Shoal-Water to make Wharfs, or Bridges convenient, before their own Land and none else, and that all Patents already Granted for Shoal-Water or building of Wharfs, or Bridges, before any Man's own Land shall be deemed good.

And whereas there have been several Patents, for the *Parade* place upon *Port-Royal*, and for Eleven Hundred Acres of Land without the Breast-Work, or of part thereof, Granted to several Persons since Grant thereof was made to several Persons and their Heirs or Successors to the use of the Parish of *Port-Royal*, under pretence that the said Grants to them, to the said uses, are void in Law; be it enacted and ordained by the Authority aforesaid, and it is hereby enacted and ordained by the Authority of the same, That the said several Grants or any other Grants or Patents first made to the use of the Parish, shall be deemed good and valid to the passing of the Premises therein contained, and that all other Patents Granted to any Person or Persons whatsoever of any part of the said *Parade* place, or of the said Eleven Hundred Acres of Land, or any thing else since the dates of the said Grants, or any of them to the use aforesaid, be and are hereby adjudged null and void to all Intents and Purposes whatsoever, any thing in the said Letters Patents or any of them, or any other Law, Custom, or Usage, to the contrary thereof in any wise notwithstanding.

An A C T

*For establishing a perpetual Anniversary
Fast on the Seventh of June.*

FOrasmuch as it hath pleased Almighty G O D, the Great Creator and Judge of Heaven and Earth, on the Seventh Day of *June*, One Thousand Six Hundred Ninety Two, justly to punish the Inhabitants of this Island, for their manifold Sins and Wickednesses committed against his Divine Majesty, by a most terrible and dreadful Earthquake, which not only laid waste our Estates and Places of Habitation in general, but also destroy'd many Hundreds of People; which tremendous Judgment was succeeded by a raging Sickness and Mortality, that few or no Families escaped. Now, that so signal a Visitation may be had in perpetual Remembrance, and we and our Posterity may, by humbling ourselves, endeavour to appease God's imminent Wrath, and prevent heavier Judgments: We your Majesty's most Dutiful and Loyal Subjects, your Majesty's Lieutenant-Governour, Council, and Assembly
of

of this your Island of *Jamaica*, do most humbly beseech your most Sacred Majesties, That it may be enacted by their Majesties Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That every Seventh Day of *June*, (unless it falls out to be on the Lord's Day, and then the Day following) shall be for ever hereafter set apart, to be kept and observ'd by All the Inhabitants of this Island, as an Anniversary Day of Fasting and Humiliation; and that all and every the Inhabitants aforesaid, shall upon the said Day Annually resort to some usual Place where Prayers and Preaching are used to be Ministred, and there orderly and devoutly abide during the Celebration of Divine Service, by Prayers, Preaching, Singing of Psalms, &c.

And to the End that all Persons may be put in Mind of their Duty therein, and be the better prepar'd to discharge the same with that Piety and Devotion as becomes them; be it farther enacted, That every Minister shall give Notice to his Parishioners, in the Church, or other publick Place of Divine Worship, at Morning Prayer, the *Sunday* next before every

ry such Seventh Day of *June*, for the Observation of the said Day, and that he provide a Sermon suitable to that Occasion; and that in such Parishes where there is no Minister, this Act shall be publish'd Annually in the Sessions next before the Seventh of *June*, as aforesaid.

And be it farther enacted and ordained by the Authority aforesaid, That no Person or Persons whatsoever, neither by themselves, Servants or Slaves, shall do, or cause to be done, any manner of Work in his or their Trade, Calling or Plantation: And that no Shop, Tavern, Coffee or Punch-House be kept open on the said Day, on Penalty of Forfeiting Forty Shillings for every Person, by himself, Servant or Slave so Offending, as aforesaid, to be recovered before any of their Majesties Justices of the Peace, who are hereby required and empower'd to Award the same; One Half of which Forfeiture shall be to the Church-Wardens for the Use of the Parish, and the Other Half to the Informer, or him that shall sue for the same.

W. Bridgeman.

An

An A C T

*To Encourage Sea-faring Men, and o-
ther their M A J E S T I E S Sub-
jects.*

W Hereas great Numbers of Persons, as well Sea-faring Men as others, by the ill Usage and Discouragement they have formerly met with, have been driven from this Island, and for common Subsistence many of them have fallen under the Necessity of taking unlawful Courses, and been forc'd ever since the present War with *France*, to seek for Shelter in the Ports and Settlements belonging to the *French* King in the *West-Indies*, and elsewhere, and afterwards compelled to enter into his Service.

And whereas divers other Persons being disabled by their Loss in the late dreadful Earthquake, and other Misfortunes, to pay their Debts, to avoid the Suits and Prosecutions of their Creditors, have been likewise obliged to go off this Island, and by Reason of the Offences and Debts aforesaid, cannot safely return again. And forasmuch as nothing can
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more conduce to the Strength, Security, and flourishing Condition of this Country, than Multitudes of People; and that it is become absolutely necessary in Order thereunto, for putting the Island in this Time of War into a Posture of Defence against the Enemy, to Invite and Encourage as much as possible, their Majesties Subjects to come to this Island, by Delivering them from the Penalties and Forfeitures they have already incurr'd, and by preventing all Vexation and Trouble they may be put to hereafter, by any Prosecution in their Majesties Name for the said Offences, or by Means of the Suit or Suits of any other Persons to whom they stand indebted:

The Lieutenant-Governour, Council, and Assembly, most humbly beseech their Majesties to be graciously pleased to extend to all Persons so Offending, as aforesaid, their Majesties Free and General Pardon, and for the Ease and Quiet of them and the rest, to give convenient Time to pay their Debts.

And that therefore it may be enacted by the Lieutenant-Governour, Council and Assembly, and be it enacted by the Authority of the same in Manner and Form following, that is to say, That all
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and every Person and Persons whosoever, shall be and are hereby acquitted, pardoned, released, and discharged against their Majesties, their Heirs and Successors, and all others whomsoever, of and from all manner of Penalties incurr'd by Serving under the *French* King or his Subjects as aforesaid; and all Crimes and Offences, Acts of Hostility, or Violence whatsoever, (Treason and Murder excepted) and of and from all manner of Depredations by Sea or by Land, and all other Crimes, Offences and Misdemeanors whatsoever, already done and committed before the First Day of this Session, in the Year of our Lord One Thousand Six Hundred Ninety Three, and not otherwise or afterwards; and of and from all manner of Forfeitures, Penalties, Pains Corporal, and Pains Pecuniary, and all Suits, Judgments and Executions, for or by Reason of the same, or any of them.

And be it farther enacted by the Authority aforesaid, That all and every Person or Persons that have committed Piracy or Robbery by Sea, and not Murder or Treason, that shall come hither, and Surrender and Submit themselves within Ten Days after their Arrival in this

this Island, unto the Commander in Chief for the Time being, and give in moderate Security for their future good Behaviour, that then, and in such Case, the said Commander in Chief shall be by Virtue of this Act oblig'd to extend to such Person or Persons so Submitting and Surrendering as aforesaid, their Majesties gracious Pardon under the Great Seal of this Island, for the Crime or Crimes afore-mentioned, without Let, Hindrance, or Molestation from their Majesties Attorney-General, or any other Person or Persons whatsoever; for which Pardon, the Parties to whom their Majesties Mercy is so extended, shall pay the Sum of Forty Shillings, and no more, to be paid as a full Fee unto such Officer or Officers as the Commander in Chief shall Direct and Appoint to receive the same.

And be it farther enacted, That the Attorney-General, or any other Officer or Officers whatsoever, that shall presume by any Way or Means, directly or indirectly, to exact any Sum or Sums of Money of any Person or Persons whatsoever, to whom such Act of Mercy is extended, or intended to be extended, shall Forfeit the Sum of One Hundred Pound,

Pound, Currant Money, One Half to their Majesties, for, and towards the Support of the Government of this Island, and the Contingent Charges thereof; and the Other Half to the Party injured, to be recover'd by Action of Debt, Bill, Plaint, or Information, in any Court of Record within this Island, where no Essoign, Protection, Injunction, Wager of Law, or *Non vult ulterius prosequi*, shall be allowed; any Law, Custom or Usage, or any Thing in this Act seeming to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That this their Majesties Free-Pardon as aforesaid, shall be as good and effectual in the Law to every of the said Persons before-mention'd, as the same Pardon should have been, if all and every the Persons, and all and singular the Offences aforesaid, had been particularly, singularly, especially, and plainly named, rehearsed, and specified, and also pardoned by proper and express Words and Names; and be as fully, largely, amply and beneficially understood, interpreted and expounded to all Intents and Purposes, against their Majesties, their Heirs and Successors, and
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all others, to and for the Benefit, Advantage, and Favour of the Persons before intended to be pardoned, as the same can or may be understood, interpreted and expounded ; any Statutes, Acts, Laws, Customs or Usages heretofore had, made or used to the contrary in any wise notwithstanding.

And be it farther enacted by the Lieutenant-Governour, Council and Assembly, and by the Authority of the same, That all and every Person or Persons whomsoever, that shall come and Reside here, and claim the Benefit of this Act, and be employed in the Service of the Country in Privateering Trade, or otherwise, shall by Virtue hereof be protected, excepted, and excused from the Payment of their said Debts, contracted before their coming hither, or their going off from hence, for the Space of Five Years, to be computed from the First Day of this present Session; and during the said Time, that all real, personal, or mix'd Actions, and all Arrests, Proceſs, Suits, Informations, Judgments, Executions, and all other Prosecutions whatsoever, to be had, commenced, sued or prosecuted for, or by Reason of their said Debts, or any Sum or Sums of Money by them as

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aforesaid, due or owing to any Person or Persons whomsoever, be and are hereby suspended, respited and discharged, and made Void, for and during the said Term of Five Years and no longer.

Provided always, and 'tis the true Intent and Meaning of this present Act, That no Person or Persons claiming the Benefit of the same, shall plead the Statute of Limitation in their Favour or Behalf, as if the said Intermission had not been after the Expiration of the said Five Years, but that the same shall be accounted as if this Law had not been made, any Thing in this Act seeming to the contrary notwithstanding.

And if any Action or Suit hereby suspended, respited and discharged, shall be commenced or prosecuted, every Person so sued may plead the general Issue, and give this Act and the Special Matter in Evidence; and if the Plaintiff shall become Nonsuit, or forbear farther Prosecution, or suffer Discontinuance, or if a Verdict shall pass against him, the said Plaintiff shall for ever absolutely Forfeit and Lose his Original Debt so sued for, and besides pay to the Defendant his double Costs and Charges out of Purse; to be Assessed by the Jury, or the

the Judges of the Court, where such Action or Suit shall be commenced, and levied by Rule of Court, of the said Plaintiff's Goods and Chattels, or the said Plaintiff to stand committed till Payment thereof, at the Discretion of the said Court.

Provided always, nevertheless, That no Person shall take or have any Benefit or Advantage by this Act, or any Thing therein contained, who shall not within Twenty Days after his Arrival, cause his Name to be enter'd into the Office of Inrolments for this Island, in a Book to be kept there for that particular Purpose, and claim, and demand the Benefit of the same; which said Claim and Demand, and Entry of his Name as aforesaid, shall be to all Intents and Purposes as effectual and available in the Law, as if the said Person had been herein particularly named and expressed; and an attested Copy of the said Entry and Claim as aforesaid, shall be pleaded in any Court, and of as much Authority, Force and Validity in the Law, as this present Act, or special Pardon under the Broad Seal as aforesaid, any Statutes, Acts, Laws, Usages or Customs to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That the Secretary, or Clerk of the Enrolments for the Time being, shall not refuse to make Entry of such Claim and Demand as aforesaid, and give an attested Copy thereof, or take more than Fifteen Pence for such Entry and the Copy thereof, under the Penalty of Ten Pounds for every such Offence, to be paid to him, who by Bill, Complaint, Information, or Action of Debt, shall sue for the same.

And be it farther enacted by the Authority aforesaid, That whereas by an Act of this Country, entitled, *An Act for Restraining and Punishing Privateers and Pirates*; in which Act, among other Things, there is contained One Clause, Branch and Article, whereby it was thus enacted: Be it farther enacted by the Authority aforesaid, That all and every Person and Persons that shall any way knowingly Entertain, Harbour, Conceal, Trade, or Hold any Correspondence by Letter, or otherwise, with any Person or Persons that shall be deemed, or adjudged to be Privateers, Pyrates, or other Offenders within the Construction of this Act, and that shall not readily endeavour to the best of his or their Power, to apprehend,

prehend, or cause to be apprehended, such Offender or Offenders, shall be liable to be prosecuted as Accessaries and Confederates, and to suffer such Pains and Penalties as in such Case by Law is provided.

Which said Clause, Branch, or Article contained in the said Act, and every Word, Matter, and Thing contained in that Clause, Branch, or Article, shall from henceforth be repealed, annulled, revoked, annihilated, and utterly made void for ever, any Thing in the said Act to the contrary in any wise notwithstanding.

An A C T

For making Kingston a Parish.

WHereas it hath pleased Almighty God by his late dreadful Judgment, to lay waste and destroy the Habitations, and Dwelling-Places of many of the People, late of *Port-Royal*, whereby they were necessitated to Resort to some more convenient Place, wherein to Unite and Settle for the Advantage of Trade, and better Conveniency of Living, and

did by the Encouragement of the then Government, Repair to and Settle upon a certain Place now called and known by the Name of *Kingston*, in the Parish of *St. Andrews*, on the Harbour of *Port-Royal* aforesaid, and have with great Trouble and Charge made a considerable Progress in Building and Settling there, and being willing and desirous there to continue by Reason of the convenient Situation of the Place, and Commodiousness of the Channel and Harbour.

Be it therefore enacted and ordained by their Majesties Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That the aforesaid Place, commonly called and known by the Name of *Kingston*, lying in the Parish of *St. Andrews*, on the Harbour of *Port Royal*, bounded Southerly by the Harbour, Westerly and Northerly by the Line of the Land of Sir *William Beeston*, Knt. and to continue from a *Calabash* his North-Easterly Corner Tree, by a strait Line to the Foot of the long Mountain, Eighty Chain Distance from the Sea, and from thence towards three Rivers of the same Distance from the Sea, until it meets with the Bounds of the Parish of *Port-Royal*, and also all that Part of the Harbour which lies to
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the North Easterly and Easterly Part of the middle Ground, shall be and for ever hereafter be taken and esteemed to all Intents and Purposes an intire and distinct Parish, separate from the said Parish of St. *Andrews*, and be called and known by the Name of the Town and Parish of *Kingston*, and have, Use, Exercise, and Enjoy all and every the Powers, Authorities, Benefits, Privileges, Rights, Immunities and Customs, that all or any of the Parishes or Precincts within this Island, have, or ought to have, Use, Exercise, or Enjoy of common Right, or by Virtue of any General Act or Acts of this Country, as fully, amply and effectually, as if the same had then been a distinct and separate Parish or Precinct, and therein by Name expressly mentioned and specified: And particularly, that there shall be Chosen Three Representatives to Serve in every Assembly hereafter, or after the first Prorogation of this present Assembly for the said Town and Parish of *Kingston*, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And be it farther enacted and ordained by the Authority aforesaid, That for the Ease of the Merchants and Trading

ding People of the said Town of *Kingston*, that there be erected, established and held in the said Town, a Quarter-Sessions for the Conservation of the Peace, and a Court of *Common-Pleas*, with the same Power and Authority, that is or hath been lately held or exercised at *Port-Royal*; which said Court shall be held the first Time on the second *Thursday* in *October*, in this present Year One Thousand Six Hundred Ninety Three, and afterwards Once every Two Months, and the Sessions every Three Months, any Thing in this Act to the contrary notwithstanding.

And be it farther enacted and ordained by the Authority aforesaid, That the Receiver-General, Secretary of this Island, and Naval Officer for the Time being, do by Themselves or Deputies within One Month after the Passing this Act, keep or cause to be kept in the Town of *Kingston* aforesaid, their several and respective Offices, as they now do, or heretofore have or ought to have done on *Port-Royal*, on Penalty of Fifty Pounds each for every Month they or any of them shall Neglect or Refuse to do the same, to be recover'd against them, or any of them, by Bill, Complaint, Information,

mation, or otherwise, in the Supreme Court of this Island; the one Half to their Majesties, for and towards the Support of the Government of this Island, and the contingent Charges thereof, and the other Half to the Informer, or him that shall sue for the same, wherein no Essoign, Injunction, Protection, Wager of Law, or *Nonvult ulterius prosequi* shall be allowed.

An A C T

For the better Securing of Port-Royal.

WHereas the Town of *Port-Royal* is a Town of a very considerable Trade, and of great Strength to Resist the Enemy in Time of War, by Reason of their Majesties Fortifications, and a great Number of Houses thro' the Mercy of God left standing thereon.

And, whereas by the late dreadful Earthquake the Land on the Back-Sea Side is settled lower than it was, by Reason whereof the Sea hath more Power to gain upon it, and if not timely prevented by Wharfing to resist the Violence

lence thereof, may endanger the Houses that are standing on that Sea-Side; for Prevention whereof,

Be it enacted and ordained by their Majesties Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be lawful, from and after the Twenty Fifth Day of *July*, in the Year of our Lord One Thousand Six Hundred Ninety Three, for the Justices and Vestry of the Parish of *Port-Royal*, or the Major Part of them, to Assess, Tax, and Levy such Sum or Sums of Money, upon all and every the Freeholders of the said Parish of *Port-Royal*, as to them shall seem Meet and Convenient, for and towards the Wharfing, or otherwise Securing the Town of *Port-Royal* towards the Great Sea-Side abovementioned.

And whereas after the Wharfs are made they may from Time to Time want Repairing, be it therefore farther enacted by the Authority aforesaid, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be lawful for the Justices and Vestry of *Port-Royal* aforesaid, or the Major Part of them, to Assess, Tax, and Levy

Levy Yearly, and every Year, such Sum or Sums of Money upon the Freeholders of the said Parish of *Port-Royal*, at such times as to them shall seem requisite or necessary, for Repairing and Maintaining the said Wharfs; and that the Constable or Constables of the said Parish of *Port-Royal* shall gather in the above-said Monies so to be Levyed, Assessed and Taxed, as before mentioned and appointed by this present Act, and pay the same into the Hands of the Church-Wardens of the said Parish of *Port-Royal* for the time being, Deducting to him or themselves Four Pence in the Pound for Collecting the same. And in Case any Constable or Constables shall neglect his or their Duty in Collecting, Gathering, or Paying in the Money so collected by virtue of this Act, he or they so neglecting his or their Duty therein, shall forfeit for every such Offence the Sum of Twenty Pounds.

And in Case any Person or Persons shall refuse or delay to pay his or their Tax so to be Assessed, Taxed, and Levyed, as in this present Act is prescribed, be it further enacted and ordained by the Authority aforesaid, that it shall and may be lawful to and for any two of their Majesties

jesties Justices of the Peace of the Parish of *Port-Royal* aforesaid, to Issue out their Warrant of Distress, directed to any Constable of the said Parish, to Levy the same upon the Goods or Chattels of him, her, or them, for refusing or delaying to pay the same, and Sell the same at Publick Outcry, returning the overplus, if any be, to the Owner.

And to the Intent that the Money which shall be Collected and Raised by virtue of this Act, may be applyed to the use and purpose by this Act mentioned and directed, be it further enacted and ordained by the Authority aforesaid, That the Church-Warden or Church-Wardens of the said Parish of *Port-Royal* for the time being, shall and are hereby required from time to time to pay the Money arising by virtue of this Act to such Person or Persons, and to such Uses as the Justices and Vestry, or the Major part of them, shall direct and appoint; and the Church-Wardens of the said Parish for the time being shall keep a distinct Accompt of the Money by them and each of them received by virtue of this Act, and likewise render a true and just Accompt thereof to the Justices, and Vestry of the said Parish of *Port-Royal*, when thereunto required, and also pay the full Balance of
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of the same unto the succeeding Church-Wardens, or to whomsoever the said Justices and Vestry or the Major part of them shall direct and appoint, under the Penalty of Fifty Pounds for every Offence committed contrary to their Duty in this Act enjoined.

And whereas several of the Freeholders of *Port-Royal* may be, or are not Resident or Inhabitants on the said place, for the better Recovery of the said Tax to be Assessed as aforesaid, be it further enacted and ordained by the Authority aforesaid, That in such Cases, from and after the Twenty Fifth Day of *July*, One Thousand Six Hundred Ninety Three, an Action of Debt shall lye in any Court of Record, or before any Justice of the Peace, as in other Debts, for the Church-Wardens of the respective Parish of *Port-Royal*, and their Successors, to Recover against any of the said Persons Rated or Assessed by virtue of this Act, or any of them, or their Heirs, Executors, Administrators, Assigns, Agents or Attorneys here, all such Sum and Sums of Money as are or shall be Rated or Assessed upon them as aforesaid. And that the same Rate or Assessment produced in such Court of Record, or before such Justice of the Peace

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as aforesaid, shall be sufficient Evidence and Proof for the Recovery of all such Sum or Sums of Money so Rated or Assessed as aforesaid.

And be it further enacted by the Authority aforesaid, That if any Person or Persons being Seized, Possessed, or Interest of or in any Ground which was formerly built upon, and the Houses thereupon being now destroyed or pulled down at the times or by the means of the late Dreadful Earthquake, shall not within Three Years next Ensuing Build the same, that then the Judges of the Court of *Common Pleas* of the said Parish for the time being or any one of them shall forthwith cause publick Proclamation to be made, as well at or upon the said Ground, as also in the Court-House of the said Parish, thereby to give notice to all Persons that shall or may be therein concerned, to cause the same to be rebuilt within the space of Nine Months the next following; and in Case the Owners thereof, or other Person or Persons having Interest therein, shall refuse or neglect to rebuild the same within such time as aforesaid, that then and in such Case the said Judges of the said Court, or any one of them, are hereby Authorized to Issue out their Warrants to
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the Provost-Marshall for the time being requiring him to Impanel and return before them, or any one of them, a Jury of good and lawful Men of the said Parish, which the said Provost-Marshall is hereby Authorized and required to do accordingly; which Jury so returned shall upon their Oaths, to be administred to them by the said Judges, or one of them, who are likewise hereby Authorized to administer the same, Enquire, Estimate, and Assess the true and just value of such void Ground, according to their Judgments; and that from and after such Enquiry and Valuation thereof made as aforesaid, by Inquest of the said Jury, it shall and may be lawful to and for the said Judge or Judges to make Sale of the Fee and Inheritance thereof, by Conveyance under his or their Hands and Seals, to any Person or Persons that will Purchase the same at such Price at which the same shall have been so as aforesaid Estimated and Valued by the said Jury; and the Monies thereupon to be received of the Purchasers thereof shall forthwith be paid into the Hands of the Church-Wardens of the said Parish for the time being, and from thence to be issued out and paid by the said Church-Wardens for the time being.

being unto such Person or Persons, who shall have any Estate or Interest in, to, or out of the same, according to his or their respective Estate or Estates, Title or Interest; which Sale so made and Enrolled in the Office of Enrolments of this Island, shall be Final and Conclusive to all other Persons whatsoever, and shall Bar them, their Heirs and Assigns, to Claim any Estate, Right, Title, or Interest of, in, or out of the Grounds so Sold, precedent to the said Sale; and the Purchaser or Purchasers thereof, his and their Heirs and Assigns, shall and may by virtue of this Act, have, hold, and enjoy the same against all Persons Claiming any Estate, Right, Title, or Interest in, to or out of the same, his, her and their Heirs, Executors, Administrators, and Assigns, freed and discharged of and from Incumbrances in Estate, Title, Charge, or otherwise, precedent to the said Sale, their Majesties Quit-Rents only excepted.

And be it further enacted and ordained by the Authority aforesaid, and it is hereby enacted and ordained by the Authority of the same, That the Receiver-General, and Naval Officer of this Island, shall by themselves, or lawful Deputy, keep

keep their Offices on *Port-Royal*, as at any time heretofore they have, or ought to have done; and that the Secretary of this Island, shall from time to time by his lawful Deputy keep his Office at *Port-Royal*, as at any time heretofore has, now doth, or ought to have done, under the Penalty of Fifty Pounds for every Month the Receiver-General, Naval Officer, or Secretary of this Island, or any of them, shall Neglect or Refuse to do the same.

And be it farther enacted and ordained by the Authority aforesaid, That all and every the Fines and Forfeitures in this Act mention'd and contain'd, shall be One Half to their Majesties, their Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, and the other Half to the Parish of *Port-Royal*, for and towards the Wharfing, Repairing, and Maintaining the Wharfs so to be made, repaired and maintained, as in this Act mention'd, and to and for no other Use, Intent, or Purpose whatsoever; to be recover'd in any Court of Record within this Island, by Action of Debt, Bill, Complaint, or Information, wherein no Essoign, Injunction, Protection, Wager of Law, or *Nonvult*

ulterius prosequi, shall be allowed, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

An A C T

For Making and Clearing a publick Road from St. Mary's and St. George's into the Parish of St. Andrew's.

WHereas by Reason of the Uncertainty of the Bounds of the Parishes of St. Mary's, St. George's, and St. Andrews, the Paths leading from St. Mary's and St. George's have not yet been laid out and cleared, to the great Hindrance and Damage of the Inhabitants thereof; and it being requisite, as well for their Majesties Service in Transporting speedy Succours to each Place, as for the necessary Use of their Majesties liege People, that a publick Road be laid out from the said Parishes of St. Mary's and St. George's, into the Parish of St. Andrew's.

Be it therefore enacted and ordained by the Lieutenant-Governour, Council and

And be it further enacted and ordained by the Authority aforesaid, That the Surveyors of the High-Ways for the Parish

rish of St. *Mary's*, do yearly, and as often as need shall require, clear and amend the said Road, or High-Way, from the *Orange* River aforesaid, over the said *Mammee* Ridge, unto the Ford at the Foot of the said Hill at *Little Tom's* River aforesaid; and that the Parish of St. *George's* also clear their Road or High-Way from *Annotta* Bay as aforesaid, unto the said Place, as it shall fall into the Path on *Mammee* Ridge as aforesaid, coming from the said *Orange* River Plantation; and that the Parish of St. *Andrew's* clear the said Ford and Road, or King's High-Way, leading from thence over *Viney* Ridge aforesaid, leaving the Plantation of the said Col. *Thomas Clarke* to the Eastward as aforesaid, unto the Plantation of the said *Andrew Holloway* at *Wagwater*, and so forward into the Parish of St. *Andrew's*.

And it is hereby further enacted, That the respective Surveyors of the High-Ways, and Inhabitants of the Parishes of St. *Mary's*, St. *Georges*, and St. *Andrews*, shall be severally subject to the like Pains and Penalties, for their or any of their neglect of their Duty therein, and be in the same way and manner recovered, and in the like manner applied, as is provided for and appointed in the Act for
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the High-Ways, for the neglect of their several Duties in the like kind.

Provided always, That if at any time hereafter it shall be found necessary that the said Path or Paths, or any part of them should be turned or altered, that it shall, and may be done in such manner as in the said Act for the High-Ways is provided and appointed in the said Act for turning or altering Old-Ways to more Conveniencies, any Law, Custom, or Usage to the contrary in any wise notwithstanding.

An A C T

*Appointing the Prices of Meats and
Regulating Markets*

FOR Prevention of the many Hardships and Abuses that may be put upon the Inhabitants of this Island, by those that Sell in publick Markets the several sorts of Meats hereafter mentioned, and demand Extravagant Prices for the same,

Be it enacted by their Majesties Lieutenant-Governour, Council, and Assembly of this Island, and it is hereby enacted and ordained by the Authority of the same, That no Person or Persons upon any pretence whatsoever, Selling in any Publick Market within this Island, any of the several kinds of Meat hereafter named, presume to ask, demand, or receive for Fresh Beef, or Goat, any more, higher, or greater Price, than Four Pence *per* Pound; Mutton Six Pence; Veal, the Breast and Loin Nine Pence, and any other part thereof Seven Pence Halfpenny the Pound; Hog, that weigheth Twelve Pounds the Quarter, or under, Seven Pence Halfpenny; and all weighing above, Six Pence the Pound; Lamb or Kid, Seven Pence Halfpenny the Pound; all which said Meat shall be weighed without the Head, Entrails, or Feet, and no Suet to be Sold at higher Rates than the Meats aforesaid.

And be it further enacted by the Authority aforesaid, That any Meat brought into the Market, and offered after cut up to be Sold for Veal, weighing above Twenty Five Pounds the Quarter, shall be adjudged Beef, and for Lamb weighing above Eight Pounds the Quarter, shall

shall be deemed Mutton, and each Sold by the Quarter or Joint, at the respective Prices in this Act before-mentioned.

And to prevent Selling and putting off old and small Mutton for Lamb, be it further enacted by the Authority aforesaid, That all Lamb shall be brought into the open Market with the Heads on, and shewn before cut up to the Clerk thereof, with the usual Signs and Marks of Distinction, that he upon Scruple may determine the Matter between Buyer and Seller.

And be it further enacted by the Authority aforesaid, That no Common Seller, Butcher, Cutter up of Turtle, or or any other Person whatsoever, Sell Turtle, or any of the Meats beforementioned by Retail, but in open Market, where they shall not refuse to Sell the same to any Person, bringing ready Money by the Quarter, Joint, or Piece by weight, not less than the value of Seven Pence Halfpenny at the Prices aforesaid, without Conditionally imposing upon the Buyer the Head, Feet, Inwards, or any part thereof, or Meat of any other Kind whatsoever; which Meat so bought, and paid for, shall immediately be or caused

to be removed out of the said Market by the Person Buying the same.

And to the end that it may be understood what within this Act shall be accounted the Publick and Open Market, be it enacted by the Authority aforesaid, That the place appointed by the Justices in Sessions for the Selling there the several Sorts of Meat in this Act mentioned, shall be deemed the Publick Market-place, and the Markets opening by the Ringing of the Bell by the Clerk thereof, or his order; which on *Saturdays* shall be at three of the Clock Afternoon, and on that and all other Days, *Sundays* excepted, at Five of the Clock in the Morning, and not sooner; in which place, and after which time, the Market shall be adjudged Open and Publick, within this Act as aforesaid.

Be it further enacted by the Authority aforesaid, That from and after the Tenth Day of *August*, of this present Year One Thousand Six Hundred Ninety Three, that this Act, and every Clause thereof, is, and shall be of Force to all Intents and Purposes whatsoever.

And be it further enacted by the Authority aforesaid That all, and every Person whatsoever, Seller, Buyer, or Officer,

ficer, that shall Offend against any particular in this Act mentioned or contained, or any Branch thereof, he, she, or they so offending, shall forfeit Forty Shillings for every such Offence; one half to the Church-Wardens of the Parish where such Offence shall be committed, for the Use of the said Parish, the other half to the Clerk of the Market, Informer, or who shall sue for the same, to be recovered before any Justice of the Peace, any Law, Custom, or Usage to the contrary notwithstanding.

An A C T

For the more speedy Collecting his Majesty's Quit-Rents, Fines, Forfeitures and Amerciaments.

BE it enacted by his Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That all and every Person or Persons who shall repair to the Town of *St. Jago de la Vega* within Twelve Months after the making

making of this Act, and there accompt with the Receiver-General for the Time being, for such Sum or Sums of Money as may be due to his Majesty for Quit-Rent, and make Oath, if privy to the payment, that they have duly paid their Quit-Rent to such a Year, but that their Receipts for the same are by some Casualty lost; and if not privy, that they believe they were paid, but that they cannot find the Receipts, (which Oath the said Receiver-General is hereby empowered to administer, and at the request of the Party obliged to tender) and shall pay, or give good Security to pay in some short Time, such Sum or Sums of Money as they shall be found in Arrears; that then, and in such Case, every such Person and Persons shall be discharged against his Majesty, his Heirs and Successors, to the Time of which they shall make Oath as aforesaid. And the Receiver-General shall give every such Person as shall demand the same a Certificate, that he has accompted with him, her or them, and made Oath as aforesaid; for which the Party or Parties demanding the same, shall pay the Sum of Two Shillings and Six Pence, and no more, any Law, Custom or Usage to the contrary in any wise notwithstanding. And

And be it further enacted and ordained by the Authority aforesaid, That all and every Person or Persons (not being Orphans) that do not Inhabit within this Island, and are possessed of and hold several Tracts of Land, whereupon no Settlement or Plantation hath hitherto been made, every such Person or Persons (not being Orphans as aforesaid) are hereby required and obliged to accompt with the Receiver-General for the Time being, and pay all such Sum and Sums of Money as shall be found due and in Arrears to his Majesty for Quit-Rents, and likewise Settle and Plant upon some one parcel of the said several Tract or Tracts of Land he so holdeth as aforesaid, within Two Years after the passing of this Act, on Penalty of forfeiting the said Lands. And in case at the expiration of the said Term, the Owners or Possessors not having done and performed as by this Act is required, that then the Provost-Marshal-General of this Island is hereby authorized and required, to make Proclamation of the same in the Supreme Court of Judicature held at the Town of *St. Jago de la Vega* aforesaid, the two next Courts after such Failure and Forfeiture as aforesaid, and no Person appearing to defend the same,
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Judgment shall be affirmed for the King; and the said Provost-Marshal is hereby required and impowered to seize the same accordingly. And then and from thenceforth the said Lands as aforesaid shall be solely vested in our Sovereign Lord the King, his Heirs and Successors, which shall be a perpetual Bar against any former Patent, Grant or Claim whatsoever. And then it shall and may be lawful for the Governour or Commander in Chief of this Island for the Time being, by Letters Patent under the Broad Seal of this Island, to grant the said Lands to any Person whatsoever, any Law, Custom or Usage to the contrary notwithstanding.

And be it further enacted and ordained by the Authority aforesaid, That all and every Owner or Possessor of Lands, Inhabitants within this Island, first having duly accompted and paid his Majesty's Quit-Rents, and all and every the Arrearages due for the same, hereby have power to resign and surrender any whole Tract or Parcel of Land or Grant they now hold or are in possession of, into the Hands of our Sovereign Lord the King, his Heirs and Successors; which Surrender shall be made by Delivery up into the Hands of the Clerk of the Chancery
for

for the Time being, all such Patents, Grants and Evidences whereby they have held the same, or by certifying the Records thereof; and the said Clerk of the Chancery is hereby required and empowered to accept and receive the same, and upon Receipt thereof, to give a Certificate under his Hand to the Person or Persons surrendring as aforesaid, in which shall be express'd the Date of the Grant, the Quantity of Land, the Parish it lies in, and the Bounds of the said Land; which being duly acknowledged by the Clerk of the Chancery before the Governour for the Time being, or before some one of the Judges of the Courts within this Island, and Record thereof made in the Secretary's Office, shall be deemed and taken as a total Resignation and Surrender of such Grant or Patent, and the Person or Persons surrendring in manner aforesaid, shall be acquitted and discharged from all growing Rents and Services required for the same, any Law, Custom or Usage to the contrary notwithstanding.

And be it further enacted by the Authority aforesaid, That after surrender of any Lands as aforesaid, that it shall and may be lawful for the Governour or
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Commander in Chief for the Time being, by Letters Patent under the Broad Seal of this Island, to Grant the said Lands so surrendered, to any Person or Persons whatsoever. And that the Clerk of the Chancery have and receive for a Fee for his Certificate and acknowledging, the Sum of Five Shillings for every Parcel of Land so resigned and surrendered; and the Secretary the Sum of Two Shillings and Six Pence for recording the same, any thing in this or any other Act to the contrary notwithstanding.

And be it farther enacted and ordained by the Authority aforesaid, That all Fines, Forfeitures or Amerciaments arising within any of the Courts of Judicature within this Island, where his Majesty's Grace and Favour is not extended, shall be paid by the Provost-Marshal or his Deputy, into the Hands of the Receiver-General. And whatsoever Officer or Officers, or other Person whatsoever within this Island, that shall receive any of the Fines, Forfeitures, or Amerciaments that hath not been already appropriated, and shall neglect or delay to pay the same at or before the next Supream Court of Judicature, after the said Fines, Forfeitures or Amerciaments are adjudged

ed or condemned in any of the Inferiour Courts in this Island, shall for every such Offence pay double the Sum of Money so received and not paid in, to be recovered by Action of Debt in any Court of Record within this Island; and that all the Custos Rotulorums, Justices and Judges of the several Inferiour Courts within this Island, shall certify all the said Fines, Forfeitures and Amerciaments within their several Jurisdictions so adjudged as aforesaid into the Supream Court, within one Month after such Judgment as aforesaid is passed for the same, to be Estreated for the more speedy and certain collecting and receiving the same by the said Receiver-General of his Majesty's Revenue of this Island, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That from henceforth the Provost-Marshal, his Deputies, Clerk of the Supream Court, and the Clerks of the Crown and Peace, within the several Precincts of this Island, and all others to whom it belongeth to make Returns of the Certificates, shall, upon Delivery of all and every such Certificates, take the Oath following, (that is to say) You shall

shall Swear that these Fines, Forfeitures and Amerciaments are truly and carefully entred, made up, and examined; and that all Fines, Issues, Amerciaments, Recognizances and Forfeitures, which were set, lost, imposed or forfeited, and in right and due Course of Law ought to be Estreated into the Supream Court of Judicature, are to the best of your knowledge and understanding therein contained. And that in the same Fines, Forfeitures and Amerciaments are also contained and expressed all such Fines, Forfeitures and Amerciaments as have been paid into the Court from which the said Estreats are made, without any wilful or fraudulent Discharge, Dismission, Omission, Misnomer or Defect whatsoever. *So help you God.*

Which said Oath the Judges of his Majesty's Supream Court to the Clerk thereof, and in all other Precincts the Justices in Sessions, are hereby required and impowered to administer from time to time accordingly, any Law, Custom, or Usage to the contrary notwithstanding.

And be it further enacted and ordained by the Authority aforesaid, That all Fines and Forfeitures in this Act mentioned

oned and contained, be one Moyety or half part thereof unto our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, and the other half to the Informer, or he that shall sue for the same, to be recovered in any Court of Record within this Island, where no Essoign, Protection or Wager of Law shall be allowed, any Law, Custom or Usage to the contrary notwithstanding.

An A C T

*For the better Order and Government
of Slaves.*

W Hereas it is found by Experience, that the often Insurrections and Rebellions of the Slaves within this Island hath proved the ruin and destruction of several Families; to the end therefore that they may be punished according to their Demerit, and their bloody and inhuman Practices; be it enacted by his Majesty's Lieutenant-Governour,
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Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That no Person whatsoever shall give leave to any Slave under his, her or their Care, Charge or Ownership, (unless such as wait on their Persons or go in Liveries) to go out of their Plantation without a Ticket or White Servant, in which Ticket there is to be expressed their Names and Number, and also from and to what Place, on Penalty of paying for their taking up as Runaways; and whosoever shall not endeavour to take up or apprehend any Slave coming into their Plantations, or where they have Care or Charge, (except as before excepted) and apprehending shall not punish them by moderate whipping, shall forfeit Forty Shillings. And if any Slave shall offer any Violence, by striking or otherwise, to any White Person, such Slave shall be punished at the Discretion of Two Justices and Three Freeholders, who may inflict Death or any other Punishment according to their Discretion; Provided such striking or conflict be not by Command of his or their Owners, Overseers or Persons intrusted over them, or in the Lawful Defence of their Owners Persons or Goods.

And

And be it further enacted by the Authority aforesaid, That all Slaves shall have Cloths, that is, Men Jackets and Drawers, and Woman Jackets and Petticoats, or Frocks, once every Year, on or before the Twenty Fifth Day of *December*, upon Penalty of Five Shillings for every Slave's wanting; one half to the Informer, the other half to the Parish where such Default shall be made; and the several and respective Constables within this Island shall take Care to present to the Justices all Owners or others that have the Care of Slaves, that shall not perform the same every Year, the first Sessions in *January*, before the said Constables shall be discharged from their Offices. And upon Complaint made by any Slave or Slaves to any Constable, that the Owner or Person that hath the Care of any Slave or Slaves hath not given him, her, or them Cloths, as in this Act is express'd, the said Constable or Constables, to whom such Complaint shall be made, shall certify the same to the Justices in Sessions as aforesaid, which said Justices shall cause the Owner or other Person as aforesaid to come before them; and if when appearing he, she or they shall make Oath before the said

Justices that the Complaint is unjust, the said Oath shall be a sufficient Discharge. And that the Constables may not neglect their Duty herein, the Justices of the several Parishes and Precincts within this Island are hereby requir'd and empower'd to give in Charge upon Oath to every Constable the due Execution hereof; and all Masters and Owners of Plantations shall and are hereby requir'd to have at all times hereafter one Acre of Ground well Planted, with Provision for every Five Slaves he hath in his Plantation, under the Penalty of Forty Shillings for every Acre so wanting.

And be it further enacted by the Authority aforesaid, That no Person whatsoever, except the Provost-Marshal at the Goals of St. *Jago de la Vega*, *Port-Royal* and *Kingston*, shall keep any Runaway Slave or Slaves, above Ten Days; nor shall the Provost-Marshal, or any other Person whatsoever, imploy any of them, or suffer him, her or them, in their Custody to want convenient Food, Water and Lodging, on Penalty of Forty Pounds for every such Offence, to be recovered by the Owner; and if the Provost-Marshal or any other Person shall suffer such Slave to die in his or their Custody, for want

want of Food and Water, or dry and convenient Lodging, the Provost-Marshal, or any other Person in whose Custody such Slave was, shall forfeit to the Owner or Owners Fifty Pounds for such Slave or Slaves, to be recovered by Action of Debt in any Court of Record within this Island. And if the Provost-Marshal, Deputy Marshal, or any other Person under them or on their behalf, shall at any time presume to sell or dispose of any Slave or Slaves, not having been Twelve Months in his or their Custody, or in any other Place, manner or times than by publick Outcry at the Town of St. Jago de la Vega, in the times of the Supreme Courts, shall forfeit the Sum of Two Hundred Pounds Currant Money of this Island.

And be it further enacted by the Authority aforesaid, That whosoever shall take up any Runaway Slave or Slaves, such Person or Persons shall bring the said Runaways to his or their proper Owners, if they know them, on Penalty of Twenty Shillings, and receive for their Pains for each Slave Twelve Pence *per* Mile for the first Five Miles, and Eight Pence *per* Mile for every Mile more, provided it exceed not Forty Shillings in the whole,

whole, for each Slave; but if they do not know the Owners, then to the next Marshal or Goal, upon pain of Forfeiture for every Day he or she shall keep such Slave or Slaves beyond the said Ten Days, and thereof be convicted by Confession or Verdict, the Sum of Twenty Pounds. And no Person shall receive payment for the taking up any Slave or Slaves, till he give an account of his own Name and Place of abode, with the time and Place when and where taken up, with an account of the Mark and Sex of all and every such Slave and Slaves coming into their Custody, which they shall cause to be fairly written and affix'd upon a publick place near the Goals of *St. Jago de la Vega, Port-Royal* and *Kingston*; and the Description and Account aforesaid every six Weeks shall be fairly written and transmitted from and to each and every of the three places before-mentioned, and once every three Months to every Quarter Sessions of the Peace within this Island, and publickly affixed as aforesaid, on the Penalty of two Hundred Pounds; and the said Marshal shall enter the said Account in a Book, and also take a receipt from any Person to whom he delivered the Runaway, with a Description, of the Person to whom delivered;

livered; and in Case the Marshal or Owner refuse to make payment for taking up such Runaway Slave or Slaves, and thereof Oath be made before any Justice of the Peace, the said Justice is hereby authoriz'd and required to direct his Warrant to any Constable to cause the value thereof to be immediately levied upon the Goods of the said Marshal or Owner, and the same to be sold at publick Outcry, and Satisfaction to be made to the party aggrieved, returning the Overplus if any there be to the Owner: And that it shall and may be lawful for the Marshal to detain and keep in Custody the Bodies of such Runaways so brought unto him, until the Owners of them or their Assigns shall pay unto him what he so paid to them who took them up, with two Shillings six Pence *per* Pound for laying out the Money, and so proportionably for a greater or lesser Sum, and also six Pence for every Four and Twenty Hours the said Slave or Slaves hath been in Custody. And if the said Marshal shall willingly or negligently suffer any Slave or Slaves to escape, to be imploy'd or by any way or means to be out of his Custody, before he, she or they shall be duly deliver'd to the Owner, his, her

or their Assigns, then the Marshal shall forfeit to the Owner Fifty Pounds Currant Money for every Slave so escaping, employ'd, or being out of their Custody as aforesaid; And whatsoever Slave or Slaves shall take up any Runaways, he she or they shall have the whole Benefit thereof; and if any Person shall deprive any such Slave of any such Benefit, he, she or they shall forfeit treble the Value.

And be it further enacted by the Authority aforesaid, That every Master, Mistress or Overseer of a Family in this Island, shall cause all their Slaves Houses to be diligently and effectually searched once every fourteen Days for Clubs, Wooden Swords, or other mischievous Weapons, and finding any shall take them away and cause them to be burnt; and also upon Request made to search the same for stolen Cloths, Goods or any other things or Commodities, and any Slave or Slaves in whose Custody such stolen Goods shall be found shall suffer Death, Transportation, Dismembring, or other Punishment, at the Discretion of two Justices and three Freeholders, or the major part of them, one of whom to be a Justice; and also if there shall be found in the Custody of any Slave any thing
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suspected or known to be stolen Goods, the same shall seize and take into their Custody, and a full and exact Description of the particulars thereof shall give in writing within six Days after Discovery thereof to the Clerk of the Parish, or Clerk of the Court of the Precincts for the time being, who are hereby requir'd and empower'd to receive the same, and enter upon it the Day of its Receipt, and give an account at the Parish Church or Court of the Precincts in writing, that such Goods lost are found, to the end the Owner, giving the Clerk Proof, by mark or otherwise, that the Goods lost belong to him, he may have the same restor'd, paying one Shilling three Pence to the Clerk for his Entry, and Declaration of the same; and the Parties by whom such lost Goods are taken into Custody, are hereby requir'd to make and shall make Restitution of what is in being to the Owner, on Penalty of Twenty Pounds for each neglect or refusal, by Master, Mistress, Overseer or Clerk as aforesaid. And if any Person whatsoever shall demand of any Master, Mistress or Overseer immediate Leave to search all or any Slaves House or Houses in their Plantation, for Goods lost by the
same

same Person, his Master or Mistress, the Master, Mistress, Overseer, or other White Person refusing such Search, or delaying the Person demanding the same, shall forfeit the Sum of Twenty Pounds; provided nevertheless, That no Person whatsoever shall presume to demand Leave to search as aforesaid, that hath not a Certificate under the Hand of some Justice of the Peace of that Precinct, signifying, that such Person hath made Oath before him, that he hath lost such Goods as he requires to search for; and in case there is no Justice of the Peace near, that then the Person perform the same within Six Days after such Search made, on Penalty of Twenty Pounds for every such Offence, the one half to the Use of the Parish, the other half to the Party injured.

And be it farther enacted by the Authority aforesaid, That no Person shall attempt or endeavour to steal or carry off this Island, hide, conceal, or imploy any Slave, on Penalty of One Hundred Pounds; but whosoever shall actually steal a Slave, or deface his, her or their Mark, shall be guilty of Felony, and shall be excluded the Benefit of Clergy: And whatsoever Slave or Slaves shall hide or entertain any Runaway Slave, or Slaves, shall

shall be severally whipp'd by Order of any Justice of the Peace; and if the Owner or Owners, Overseer, or other Person, that shall have Care of such Slave or Slaves, so hiding or entertaining any Runaway or Runaways, and shall in any wise endeavour to prevent such Correction or Whipping as aforesaid, upon Proof thereof, shall forfeit Forty Shillings, to be recovered before any Justice of the Peace; the one half to the Use of the Parish, the other half to the Informer.

And be it farther enacted by the Authority aforesaid, That if any Freeman or Servant shall kill or take any rebellious Slave or Slaves, he or they shall forthwith receive as a Reward Five Pounds currant Money; and if any Slave or Slaves shall kill or take any such rebellious Slave or Slaves, he or they shall receive Forty Shillings of like Money, and a Serge Coat with a red Cross on the right Shoulder, which the Church-Wardens of each of the respective Parishes where such rebellious Slave or Slaves shall be killed or taken, are hereby requir'd to pay out of the Parish Stock; and in Case there be not so much of the Parish Money in the said Church-Wardens Hands, that he or they pay the same out of their own Money,

Money, which is to be reimburs'd to him or them, out of the first Money raised in the next Year's Tax, together with Interest for so ready Payment of the said Sum: And if the succeeding Church-Wardens for the Year ensuing, shall refuse to pay and allow whatsoever Sum or Sums are expended by virtue of this Clause, that the same shall be heard and determined by any Justice of the Peace in the Precincts, in the same manner as is provided in an Act, Entitled, *An Act empowering Justices of the Peace to decide Differences not exceeding Forty Shillings.*

And be it farther enacted by the Authority aforesaid, That all and every Slave and Slaves that shall run away and continue but for the Space of Twelve Months, except such Slave or Slaves as shall not have been Three Years in this Island, shall be deemed rebellious, and their taking shall be paid accordingly; which Slave or Slaves so taken, as a Punishment for their Crime, shall be transported by Order of Two Justices and Three Freeholders, or the major part of them, one of whom to be a Justice, tho no other Crime should appear against them; which Order the Owner or Trustee shall see duly executed, under the Penalty of
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of Fifty Pounds for each Offence, to be recover'd in any Court of Record in this Island.

And it is farther enacted by the Authority aforesaid, That if any Slave or Slaves transported off this Island by Order of Two Justices and Three Freeholders, as aforesaid, for any Fault or Crime, shall at any Time wilfully return, upon Complaint made to any Justices of the Peace, he upon view of the Record, is hereby empower'd, and on Penalty of Fifty Pounds, immediately to issue out a Warrant under his Hand and Seal, to any Marshal or Constable, forthwith to apprehend and execute, by hanging or otherwise, the said Slave or Slaves so returning; and if any Slave or Slaves condemned to be transported, shall not be sent by the Owners, according to the Judgment of the Justices and Freeholders who condemned him or them, it shall and may be lawful for any Justice, on Complaint made, upon view of the Record of his Tryal, to cause him or them to be executed, by hanging or otherwise, as is before directed.

And it is farther enacted by the Authority aforesaid, That it shall and may be lawful for any Person to ruinate and
destroy

destroy any Plantation deserted for the space of Six Months, lest it become a Receptacle for Fugitives; and the Justices in Sessions upon Complaint made, whereby it appears to them, that any such deserted Plantation doth remain undestroy'd, to the Encouragement and Maintenance of out-lying Slaves, the said Justices are hereby impowered to issue out their Warrants to the Surveyor or Surveyors of the Highways in that Parish or Precinct, for the destroying the Provisions in the said Plantations, who are hereby requir'd and impower'd to cause the same to be done, upon the same Account and in the same Manner, as if it were upon the Repairing the Highways, which shall be allow'd in the Surveyor's Account accordingly.

And it is farther enacted by the Authority aforesaid, That every Commission Officer within this Island shall be, and is hereby impower'd and requir'd, on Notice to him given, of the Haunt, Residence, or hiding Place of any Runaway Slaves, to raise a convenient Party of Men, not exceeding Twenty; and with them to pursue, kill, or take alive, all or any of the said Runaways, and shall have and receive from their Owners, as a Reward
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for their so doing, Forty Shillings *per* Head for all Slaves taken and brought in alive, and Twenty Shillings *per* Head for every Slave killed or driven Home; that is to say, for all Slaves run away, that shall surrender themselves after the going out of the said Party. All which Sums shall be recover'd before any Two Justices of the Peace, who are hereby empower'd and requir'd, upon Complaint made to them, to proceed therein as in all Cases, of Forty Shillings; which said Money shall be divided among the said Party, the Officer reserving Three Shares to himself. And whatsoever Commission Officer or Officers shall neglect his or their Duty therein, he or they shall forfeit the Sum of Twenty Pounds.

And be it farther enacted by the Authority aforesaid, That upon Complaint made to any Justice of the Peace, of any Felony, Burglary, Robbery, Burning of Houses, Canes, rebellious Conspiracies, or any other capital Offence whatsoever, he the said Justice shall issue out his Warrant for the apprehending the Offender or Offenders, and for all Persons to come before him, that can give Evidence, (and the Evidence of one Slave against another, in this and all other Cases, shall be deemed

deemed good and sufficient Proof). And if upon Examination, it probably appears that the Apprehended are Guilty, he shall commit him, her or them to Prison, and certify to the next Justice the Cause, and require him by virtue of this Act, to associate himself to him; which such Justice is hereby required to do: And they so associated, shall issue out their Warrant to summon Three Freeholders, setting forth to them the Matter, and requiring them at a certain Day and Hour, and at such a Place as the Justices and Vestry, or the Justices where no Vestry is, shall, as by this Act directed, appoint for such Tryals; at which Time and Place, the said Justices and Freeholders shall cause the said Offender or Offenders, and Evidence, to come before them; and if they, on hearing of the Matter, the said Freeholders being by the Justices first sworn to judge uprightly and according to Evidence, which Oaths the said Justices are hereby impower'd and requir'd to administer, shall judge the Criminal or Criminals guilty of the Offence complain'd of, they or the Major part of them, of whom one to be a Justice, as in all Tryals within this Act, shall give Sentence of Death, Transportation, Dismembering,

bring, or any other Punishment, as they in their Judgment shall think meet to inflict, and forthwith, by their Warrant, cause immediate Execution to be done by the common, or any other Executioner; (Women with Child only excepted, who are hereby Repriv'd till after Delivery) and if they judge not the Criminals to die for any Crime, but to receive corporal Punishment; and that the Owner as a Recompence, pay unto the Party or Parties injur'd, a certain Sum of Money; that then in case the Owner or Owners refuse to pay the said Sum, the said Justices and Freeholders may adjudge the said Criminal or Criminals to the Party or Parties injur'd, his, her or their Heirs for ever. And if any Slave or Slaves shall compass or imagine the Death of any White Person, and thereof be attainted by open Deed before Two Justices and Three Freeholders, such Slave or Slaves shall suffer Death, any thing herein to the contrary notwithstanding; and that all Petit Crimes, Trespasses and Injuries committed by any Slave or Slaves, shall be heard and determin'd by any of his Majesty's Justices within this Island. And if any Justice, Freeholder, or Marshal, shall neglect his or their Duty herein,

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shall respectively forfeit Twenty Pounds current Money: Provided nevertheless, that when, and as often as any of the aforementioned Crimes are committed by more than one Slave, that shall deserve Death (Murder only excepted) that then, and in all such Cases only, one of the said Criminals shall suffer Death, as exemplary to the rest, who are to be returned to the Owners, after having receiv'd such corporal Punishment as the said Justices and Freeholders aforesaid shall think fit to inflict; which Owner or Owners of Slave or Slaves so deliver'd back, shall bear proportionably the Loss of the said Slave so put to Death: And the Owner of the said Slave so put to Death, with the Owner or Owners of the said Slave or Slaves not executed, shall pay proportionably the Damage done by the said Criminals to the Party or Parties injur'd, as shall be allotted them by the Justices and Freeholders as aforesaid, not exceeding the Value of the Slave executed: And if any Person shall refuse to pay his, her, or their part so allotted him, her or them, that then, and in all such Cases, the said Justices and Freeholders are hereby required and impower'd to issue out their Warrant of Distress upon the
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the Goods and Chattels of the Person so refusing, whether they be Owner, Executor, Administrator, Guardian or Attorney, and shall cause the same to be sold at publick Out-cry, to satisfy the said Money so allotted them; to pay and return the Overplus, if any, to the Person concern'd; first deducting Twelve Pence in the Pound for the said Distress and Sale.

And be it farther enacted by the Authority aforesaid, That if any Person shall hide, conceal, or make away with any Slave or Slaves, suspected to be guilty of any capital Offence, and not upon Demand, bring forth the Slave or Slaves; such Person shall forfeit One Hundred Pounds.

And be it farther enacted by the Authority aforesaid, That if any White Servant shall be taken stealing any Wood or Timber whatsoever, or any Bark fit for Tanning, and be thereof convicted before any Two of his Majesty's Justices of the Peace, the Master or Mistress of the said White Servant or Servants so offending, shall pay unto the Owner or Proprietor of the Land where the Offence shall be committed, the Sum of Three Pounds currant Money of this Island, to be recover'd

cover'd before the said Justices, who are hereby impower'd and requir'd to order the same, as in all Cases of Forty Shillings; but if upon any Slave or Slaves shall be found any Wood, Timber or Bark, as aforesaid, such Slave or Slaves so offending, upon Proof thereof before any Two Justices of the Peace, shall be by the said Justices condemn'd to serve the said Owner or Owners, Proprietor or Proprietors of the said Land six Months, without any Satisfaction given to the Person or Persons to whom the said Slave or Slaves do belong, any Thing to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That if any Person shall kill a Slave stealing or running away, that shall by Night be found out of his Owner's Ground, Road or Path, and refuseth to submit, such Person shall not be liable to any Damage or Action for the same, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That the Justices and Vestry, or the Justices where no Vestries are within the several Parishes and Precincts in this Island, shall appoint a certain Place in each Parish or Precinct, where

where shall be the Tryal of all Slaves for capital Offences, and a Record shall be kept of all Proceedings thereon in a distinct Book, by the Clerk of the Peace or Clerk of the Vestry, where there are no Clerks of the Peace of each Precinct, who is hereby obliged to give his Attendance at all such Tryals, for which he and the other Officers shall receive such Fees as the Justices and Vestry, or the Justices where there is no Vestry, shall allow; which shall be paid by the Parish if the Slave shall suffer Death, but by the Owner if Transported.

And whereas divers Slaves have of late attempted to destroy several People, as well White as Black, by Poison, the Consequences of which secret way of murdering may prove fatal, if not timely prevented: Be it enacted by the Authority aforesaid, That if any Negro, or any Slave or Slaves, before the making of this Act, have maliciously given or attempted to give, or shall hereafter maliciously give, attempt or cause to be given to any Person whatsoever, Free or Slave, any manner of Poison, altho the same was never taken, or if taken, Death did not or shall not ensue upon the Taking thereof, the said Slave or Slaves, together with their Ac-

cessaries as well before as after the Fact, being Slaves and convicted thereof before Two Justices of the Peace and Three Freeholders, as aforesaid, shall be adjudged guilty of Murder, as if the Party or Parties that took or shall take the same had died, and shall be condemned to suffer Death by hanging, burning, or such other Way or Means, as to the said Justices and Freeholders shall seem most convenient.

And it is farther enacted by the Authority aforesaid, That all such as have been Slaves and are already freed, as also all such as are now Slaves and shall hereafter be declared Free, shall for all Offences, Capital or Criminal, be try'd and adjudged after the Method and Manner within this Act; and the Evidence of a Slave against them to be good and valid, to all Intents and Purposes, any Law, Custom or Usage to the contrary notwithstanding.

And for the prevention of the meeting of Slaves in great Numbers on Sundays and Holy-days, whereby they have taken Liberty to contrive and bring to pass many of their bloody and inhuman Transactions: Be it enacted by the Authority aforesaid, That no Masters or Mistresses, or Overseers, shall suffer any Drumming
or

or Meeting of any Slaves, not belonging to their own Plantation, to Rendezvous, Feast, Revel, beat Drum, or cause any other Disturbance, but forthwith endeavour to disperse them, by him or herself, Overseer or Servants; or not being capacitated to do the same, that he presently give Notice to the next Commission Officer to raise such Number of Men as may be sufficient to reduce the said Slaves: And the said Commission Officer is hereby required and impower'd immediately to raise the said Men, to reduce and disperse the said Slaves; and whatsoever Owner or Owners, Overseer or Commission Officer, shall neglect his or their Duty herein, shall forfeit the Sum of Forty Shillings for every such Offence, to be recover'd by Warrant before any Justice of the Peace of the said Precincts.

And be it farther enacted by the Authority aforesaid, That no Person whatsoever shall permit or give Leave to any Slave or Slaves of their own, or under their Care, to hire out themselves; or if any Person whatsoever shall hire any Slave or Slaves in any other Way or Manner than of their Masters, Mistresses, or other Person impower'd to Let the

faid Slave or Slaves to hire, or permit them to Travel about the Country; or if any Owner or Owners shall contract with his, her or their Slave or Slaves, for any Sum of Money or other Consideration whatsoever, to give Liberty to the said Slave or Slaves to imploy themselves as they shall think fit, paying such Sum of Money or other Consideration he, she or they shall forfeit the Sum of Forty Shillings for every such Offence, to be recover'd before any Justice of the Peace, one half to the Informer, the other half to be paid to the Church-Wardens of the Parish, for the Use of the Parish where such Offence is committed; and if any Slave or Slaves shall buy or sell in any Place or Market whatsoever, any other Goods than such as properly belong to their Owners, or are bought for their Owner's Use, or are exprefs'd in a Ticket from their Owner or Overseer, such Slave or Slaves, upon Complaint made to a Justice of the Peace, shall immediately be whipp'd by Order, and at the Discretion of the said Justice; and whosoever shall receive from, or buy or sell with such Slave or Slaves, contrary to the true Intent and Meaning of this Act, shall forfeit Ten Pounds for every such Offence,
to

to be recovered in any Court of Record ; and that the Offenders against this Clause may not go unpunish'd, the Justices of the several Parishes and Precincts are hereby oblig'd and impower'd to give the presentment thereof in Charge to the several Constables upon Oath.

And be it farther enacted by the Authority aforesaid, that if any Person shall willingly, wantonly or bloody mindedly kill a Negro or Slave, he, she or they so offending, being thereof convicted by Verdict or Confession in the Supreme Court of Judicature, shall be adjudged guilty of Felony for the first Offence, and have the Benefit of the Clergy, but the second Offence shall be deemed Murder, and the Offender suffer for the said Crime according to the Laws of *England*, Forfeiture of Lands and Tenements, Goods and Chattles only excepted.

And it is farther enacted by the Authority aforesaid, That all Masters or Owners of Boats, Wherries and Canoes plying within the Harbour of *Port-Royal*, shall give their own Bonds of fifty Pounds Sterling, not to carry any Negroes without a Ticket from their Owners or Overseers, (except as before excepted) all which said Bonds are to be taken in the
King's

King's Name, and Recorded in the Secretary's Office, and thereupon due recovery to be made by all Persons receiving Damage, in the same manner as is already appointed in the Act *requiring all Masters of Ships and Vessels to give Security in the Secretary's Office*; and the Secretary is hereby impowered to take one Shilling as his Fee for each of the Bonds, and no more. And in Case any such Owners of Boats and Canoes shall not within forty Days, from and after the Publication of this Act, give in their Bonds to the Secretary as aforesaid, they shall forfeit forty Shillings for every Week after the said forty Days are expired; to be recovered by Warrant from any Justice of the Peace, and to the Use and Benefit of such Person who shall inform or complain of the same.

And be it enacted by the Authority aforesaid, That it shall and may be lawful for the Justice or Justices and Freeholders aforesaid, in the several Clauses in this Act mentioned, to do their several and respective Duties when Martial Law shall happen to be in force, as they might or ought to have done in time of common Law, any Law, Custom or Usage to the contrary notwithstanding.

And

And it is farther enacted, That no Slave shall be free by becoming a Christian; and for payment of Debts and Legacies all Slaves shall be deemed and taken as all other Goods and Chattles are, in the Hands of Executors or Administrators; and where other Goods and Chattles are not sufficient to satisfy the said Debts and Legacies, then so many Slaves as are necessary for the payment of Debts and Legacies shall be sold, and the remaining Slaves, after the payment of the said Debts and Legacies, shall be judged, deemed and taken as Inheritance, and shall accordingly descend; and all Children of Slaves, born in the Possession of Tenant for Life or Years, shall remain or revert as the Parents do, or should have done, to him or her in Reversion or Remainder after Expiration of such Term, of Years after the Death of Tenant for Life or Tenant in Tail, after Possibility of Issue extinct; provided nevertheless, that nothing in this Clause shall extend or be constru'd to extend to Leases heretofore made, any thing in this or any other Act to the contrary in any wise notwithstanding.

And be it farther enacted, That all Slaves assigned for Dower shall be liable

able, proportionably with those belonging to any Heir or Heirs, to the payment of Debts but not of Legacies, any thing to the contrary notwithstanding; provided, that nothing in this Act contain'd shall extend to hinder any Person, possessed in his own Right of any Slave or Slaves, to sell, or by Gift or otherwise, dispose of such Slave or Slaves, as he shall think fit during his Life-time; which Sale, Gift or Disposal shall be a perpetual Bar to his Wife from any claim of Dower in such Slave or Slaves.

And be it farther enacted by the Authority aforesaid, that all Purchases heretofore made of any Slave or Slaves from any Persons lawfully authoriz'd to dispose of and sell the same for good and valuable Consideration, are hereby declared to be as good and effectual to all Intents and Purposes, as if the same had been by Deed in writing, any Law, Custom or Usage to the contrary notwithstanding.

And to prevent Disputes that may arise for the future about the Titles of or to any Slave or Slaves, be it enacted, That the Clerks of the Peace, or Clerk of the Vestry where no Clerks of the Peace are, of the several and respective Pa-

Parishes and Precincts within this Island, shall keep a distinct Book, in which Entries shall be made of all Slaves sold and dispos'd of from one Party to another; in every of which Entries shall be expressed the time of the Sale made, with the Names of the Vendor and Vendee, the Name and Mark of the Slave or Slaves, with the Consideration for which sold; which said Entry, if the Seller is lawfully authoriz'd to sell or dispose of such Slave or Slaves, shall be as good and valid to ratify and confirm the said Sale or Sales, as if the same had been by Deed in writing under Hand and Seal, and shall be held, deem'd and adjudg'd to be a sufficient Record and Evidence in any Court of Record within this Island; and if by any Person razed or embezzled, the Person so offending shall suffer such Punishment as the Law hath provided against such as raze and imbezzle Records; and for every such Entry the Clerk shall receive, if but one Negro, seven Pence Halfpenny; if above, fifteen Pence and no more. And if any Buyer shall fail or neglect to make Entry with the Clerk as aforesaid, he shall forfeit forty Shillings for every such Offence. And if the Clerk shall refuse or neglect to make such Entry, he shall for-

forfeit Ten Pounds for every such Offence to the Party injur'd, to be recovered by Action of Debt in any Court of Record within this Island, wherein no Elfoign, Protection or Wager of Law shall be allowed: Provided nevertheless, That this Clause, or any thing therein contain'd, shall not be construed to extend to oblige any Person or Persons to make such Entry of Slaves at their first Importation into this Island, any thing in the above Clause to the contrary notwithstanding.

And be it enacted by the Authority aforesaid, That all Masters and Mistresses, Owners, or in their Absence, Overseers of Slaves, shall as much as in them lies, endeavour the Instruction of their Slaves in the Principles of the Christian Religion, whereby to facilitate their Conversion, and shall do their utmost endeavour to fit them for Baptism, and as soon as conveniently they can, shall cause to be Baptiz'd all such as they can make sensible of a Deity and the Christian Faith.

And be it farther enacted by the Authority aforesaid, That the Justices within the several and respective Parishes and Precincts of this Island shall at the first Sessions in every Year, limit and appoint
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the Number of Holy Days that shall be given to Slaves at the usual Festivals of *Christmas, Easter and Whitsontide*, any thing to the contrary notwithstanding.

And be it farther enacted, That the Justices within their severall and respective Parishes and Precincts within this Island, shall cause this Act to be publish'd every first Sessions in the Year, on Penalty of ten Pounds, to be paid by the said Justices in Case of neglect or refusal, any Law, Custom or Usage to the contrary notwithstanding.

And it is farther enacted by the Authority aforesaid, That all Penalties mention'd in this Act, and not declar'd where they shall be recovered, or how dispos'd of, not exceeding forty Shillings, shall be recovered by Warrant from any Justice of the Peace; and all Penalties exceeding forty Shillings shall be recovered by Action of Debt, Bill, Complaint or Information in any Court of Record within this Island; one Moyety or half part of all such Forfeitures shall be to our Sovereign Lord the King, his Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, and the other Moyety or half part to the Informer, or him

him or them that shall sue for the same.

And be it farther enacted by the Authority aforesaid, That one Act, entitl'd, *An Act for better ordering of Slaves*, made at a Sessions held by Prorogation the first Day of *September*, in the Twenty Fifth Year of the Reign of King *Charles* the Second, as also one other Act, entitled, *An Act for the better Government of Slaves*, made at an Assembly convened at *St. Jago de la Vega*, the Twentieth Day of *July*, in the fourth Year of the late King *James* the Second; both which said Acts, and every Clause and Clauses, Thing and Things therein contained, are hereby repealed, annihilated, and made void to all Intents and Purposes whatsoever, any thing to the contrary notwithstanding.



An A C T

*For raising Parties to suppress Rebel-
lious and Runaway Negroes.*

WHereas the Runaway and Rebel-
lious Negroes in this Island, have
of late murdered several of the Inha-
bitants thereof, as well White Persons
as Negroes, and have plundered and de-
stroy'd many of the small and out Set-
tlements, and do still in great Numbers
continue doing what Robberies and other
Mischiefs they are able, and daily increase
their Numbers by other Negroes Run-
ning away, and joining with them,
which may be of fatal Consequence, if
not timely suppress'd by taking some
speedy Course to reduce them ;

Be it therefore enacted by his Ma-
jesty's Lieutenant-Governour, Council
and Assembly, and it is hereby enacted
by the Authority of the same, That it
shall and may be lawful for the Colonel
of every Regiment or Parish in this
Island, or in his Absence the next Com-
manding Officer of the said Regiment or
Parish, on notice to him given of any con-
siderable

considerable Number of Negroes run away or in Rebellion, to raise and send out such Party or Parties of Men as he shall think convenient to reduce such Runaway or Rebellious Negroes. And for the better Encouragement of such Men to go out, and suppress any Runaway or Rebellious Negroes as aforesaid, it is hereby enacted, That the Commander of every such Party shall have and receive six Pound *per* Month, the Serjeant three Pound *per* Month, and the rest of the Party each fifty Shillings *per* Month, besides all Plunder and other Encouragement given them in an Act, entitled, *An Act for the better Order and Government of Slaves*; which Party shall use their utmost Endeavours to pursue, take and destroy all such Negroes, not only within the Limits and Bounds of their own Precincts, but also in any other adjoining Precinct, until any one of the Commission Officers of that Precinct where the Party then is, shall have notice from the Commander of the said Party to raise another Party to follow the said Rebels or Runaways; nor presume to return to their Habitations, until they have either reduc'd the said Runaway or Rebellious Negroes, or that the other Party be rais'd, or that

that they have been out in the pursuit of them one whole Month, if not sooner recall'd by their Commanding Officer: And that then on the return of the said Party or Parties, their Colonel or next Commanding Officer as aforesaid, shall give a Certificate under his Hand what is due to each Person belonging to the said Party; which Certificate appearing before the Governour or Commander in Chief of this Island for the time being, the said Parties shall forthwith receive out of the Revenue, by an Order from the Governour and Council, their full Pay mentioned in the Certificate aforesaid; and whatsoever Officer or private Centinel shall refuse the lawful Command of his Colonel or next Commanding Officer as aforesaid, by not going out in the said Party, or procuring an able Man well armed in his stead to perform his Duty, the said Colonel or next Commanding Officer shall forthwith commit the said Officer or private Centinel into Custody of the Marshal of the Regiment, in order to be tryed and punish'd as is provided against such as disobey their Superior Officers.

And whereas a Party was formerly commanded out by Colonel *Modysford* Free-

man, under the Command of *James Hammond*, with a promise to be paid as was then agreed on, by the said Colonel *Freeman*, but have not yet receiv'd their Pay; Be it therefore enacted by the Authority aforesaid, That Lieutenant-Colonel *Nicholas Richardson* is hereby impower'd to accompt with the Men belonging to the said Party, and certify to the Governour what Monies remain due to them; which Party after having accompted as aforesaid, shall forthwith be paid out of the Treasury of this Island, by an Order from the Governour and Council, to the Receiver-General.

And whereas several Persons were appointed by an Act, entitled, *An Act for the Encouragement and Freedom of Servants and Slaves, which have done or shall do any remarkable Service against the French, during this present War*, to and by virtue of that Act, *Richard Lloyd, James Banister, Thomas Bindlows, and John Walters*, Esqs; four of the Persons nominated in that Act, did under their Hands and Seals set free a Negro Man named *Cornelius*, belonging to *John Lewis* of *Port-Royal* Merchant, which they valu'd to be worth thirty and five Pounds; and by virtue of the same Act, *Richard Lloyd, John Walters,*

ters, and *Thomas Bindlows* Esqs; three of the Persons nominated in the said Act, did under their Hands and Seals set free a Negro Man nam'd *Sawcy*, belonging to the Estate of *Jonathan Asburst* deceas'd, which they valued to be worth thirty Pounds; and whereas several other Persons Inhabitants of this Island have had several Negroes freed by virtue of the aforesaid Act, and have since been paid by virtue of one other Act, entitled *An Act for raising the Sum of 11000 l. for paying the Debts contracted during the Descent of the French*, and what remain'd in the Receivers Hands, rais'd by virtue of that Act more than was paid away by the said Receivers, being appropriated to the Revenue; and the said *John Lewis* and the Estate of *Jonathan Asburst* being yet unpaid for the said Negroes; it is therefore enacted by the Authority aforesaid, that the said *John Lewis* receive Thirty and Five Pounds, and the Estate of *Jonathan Asburst* Thirty Pounds, Currant Money out of the Treasury of this Island, by an Order from the Governour and Council to the Receiver-General.

An A C T

*For Confirming and Securing Title
to Estates.*

WHereas by the late dreadful Earthquake, and later Descent of the *French* Enemy upon this his Majesty's Island, some of the Records have been totally lost, some destroy'd and spoil'd, and many Writings, Evidences and Conveyances belonging to several of the Inhabitants, either burnt, sunk, or destroy'd or otherwise may be found deficient whereby it becomes difficult if not impossible justly to determine each Person's Right and Title, which hath already occasion'd many troublesome Law-suits, and like to procure many more, and if not timely prevented by some good Law, may tend to the utter Ruin of many of his Majesty's good Subjects in this Island; be it enacted and ordained by his Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That all present Possessors of Lands, Tenements, Hereditaments or
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Negroes, who have been Five Years in quiet and peaceable Possession, without Claim or Interruption, or shall remain quietly and peaceably possessed without Claim or Interruption for the space of Five Years from the time of such Possession, shall for ever hereafter hold the same as an Estate of Inheritance against all Persons whatsoever, that can or may pretend to claim any Estate or Interest in the said Lands, Tenements, Hereditaments or Negroes. And that in all Actions concerning Titles of Lands, Tenements, Hereditaments or Negroes, it shall be a good Plea in Bar in such Action for the Tenant or Defendant to alledge, that he, she or they, his, her or their Ancestors or Predecessors whose Estate he, she or they possess, have or hath been in quiet and peaceable Possession of such Lands, Tenements, Hereditaments or Negroes in Question, for and during the space of Five Years before the passing of this Act, or that now being in such Possession shall so remain and continue for the space of Five Years from the time of such Possession; And this Plea Enter'd shall bar the Plaintiff or Demandant, unless he can disprove the same, or make it appear that the said Five

S 4 Years

Years Possession was during the time that the Plaintiff or Demandant was under the Age of one and Twenty Years, a Woman under Coverture, or Person of unsound Memory, or that the Defendant or Tenant held the same as Tenant by Lease, or Attorney, Guardian, or by virtue of some particular Use, Trust, Mortgage, Courtesy, Dower for Years, Life or Intail, which at or before the time of that Action brought was fully expired; provided that such Person under the Age of Twenty one Years, Woman under Coverture, or Person of unsound Memory, shall bring their Action for any such Estate as aforesaid, within three Years after such Person shall attain the Age of One and Twenty Years, or Woman under Coverture shall become sole, or Persons of unsound Memory shall be *Compos Mentis*: And if any of the Persons as aforesaid shall not commence his, her or their Action within the said three Years, or any Person or Persons being absent from this Island at the time of the passing of this Act shall not within the space of three Years next ensuing commence his, her or their Action, every such Person shall be, and are hereby for ever debar'd from bringing or commencing any such Suit.

Suit. But if any such Person or Persons as aforesaid, shall bring any manner of Action whatsoever after the times aforesaid limited in this Act, it shall and may be lawful for the Defendant or Tenant to give this Act in Evidence, to bar any such Action, any Law, Custom or Usage to the contrary notwithstanding.

Provided that nothing in this Act shall extend to any Estate under Mortgage, but that every such Estate shall be and remain to all Intents and Purposes as before the making of this Act, any thing herein contain'd to the contrary in any wise notwithstanding.

An A C T

To oblige the Parishes of St. Catherines and St. Andrews to build a Bridge over the River Rio Cobre.

WHereas the difficult Passage and unsecure Road between the Parishes of St. Andrews and St Catherines hath

hath been and is a great Disadvantage, not only to the Inhabitants of the said Parishes, but to the Island in General;

Be it therefore enacted by his Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That within one Month after the passing of this Act the Justices of the Parishes of St. *Andrews* and St. *Catherines* shall view that part of the River where the Horse-Ferry now is, dividing the aforesaid Parishes, and the Roads of each side the said River as far in St. *Andrews* as the Plantation, commonly called *Water-House*, and in St. *Catherines* as far as the Plantation commonly called *Cow-Park*; and within three Months after the passing of this Act, they the said Justices and Vestry-Men shall lay such a Tax on each respective Parish, and raise and levy so much Money, as shall be sufficient for the building a good, strong and secure Bridge over that part of the said River where the Horse-Ferry now is, or over any other Part where the said Justices shall think most convenient, or for the making such a Road on each side of the said River, as any Cart, Waine, Wag-

Waggon, Coach, or other Carriage, may meet and pass by each other without Lett or Damage; which shall be done at the proper Costs and Charges of each respective Parish.

And be it farther enacted by the Authority aforesaid, That the Bridge so to be built, shall be at least Twelve Foot wide, and rail'd on both Sides, and shall be done at the common and equal Charge of the aforesaid two Parishes, within the space of Twelve Months after the First Day of *July*, in this present Year of our Lord One Thousand Six Hundred Ninety Nine; and shall always be by the said Parishes maintained and kept in Repair, over which all Persons shall pass free. And if it shall happen, that the Bridge, when built, should be broke down, fall, or be carry'd away by any Flood or otherwise, that then the said Justices and Vestry-Men for the Time being, of each of the aforesaid Parishes, shall lay a Tax, and raise so much Money as shall build another Bridge of the same Strength and Dimensions.

And be it farther enacted by the Authority aforesaid, That whatsoever Justice or Vestry-man of the Parishes aforesaid, shall neglect his or their Duty herein, he or they

they neglecting shall forfeit for each Offence respectively, the Sum of Fifty Pounds to our Sovereign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this his Majesty's Island, and the contingent Charges thereof; to be recover'd in the Supream Court of Judicature, by Bill, Plaint or Information, wherein no Essoign, Protection or Wager of Law, or *non vult ulterius Prosequi* shall be allow'd, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That the Masters or Owners of the Ferry-Boat, shall and are hereby obliged to maintain and keep the said Ferry-Boat in good and sufficient Repair, and receive such Toll and Duty as is directed and appointed in one Act of this Island, intituled, *An Act for maintaining the Ferry between St. Catherines and St. Andrews, until such Time as the aforesaid Bridge shall be built and compleated.* Provided nevertheless, That no Duty or Toll shall be paid for passing over the said Ferry, by any Person or Persons imploy'd in or about the Building the said Bridge, or for the conveying or carrying over any Materials belonging to the same. And
if

if the said Masters or Owners of the said Ferry-Boat shall refuse or neglect to do and perform what they are hereby requir'd, they shall respectively forfeit the Sum of One Hundred Pounds, to be recover'd and apply'd as aforesaid, any Law, Custom or Usage to the contrary in any wise notwithstanding.

An A C T

To make sundry Persons a Body Politick, and Directors for the Bath of St. Thomas the Apostle.

WHereas there has been lately discover'd in the Land of Colonel Edward Stanton, in the Parish of St. Thomas in the East, several Springs of Mineral Water, whereby many great and wonderful Cures have been effected on divers Persons, the which would be of extraordinary Benefit to this Island, were the Roads and Paths thereunto made passable for sick and infirm People, and Provision made of warm and convenient Apartments and other Necessaries, which
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by reason of the ragged Mountains, cannot be done without great Charge and Expence, nor maintain'd and supported without a certain Fund of Money, and good Order and Government; And whereas the Proprietor, Colonel *Edward Stanton*, has declared his willingness to transfer his Right to the said Springs and Lands adjoining for the publick Good.

We therefore the Assembly of this your Majesty's Island, humbly beseech your Majesty, that it may be enacted: And be it enacted by your Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That for the purchasing the said Springs and Lands adjoining, and for making a good Road to the said Springs, and for erecting such Buildings as shall be convenient for poor, sick and infirm People, and other Necessaries, the Sum of One Thousand Two Hundred and Fifty Pounds arising by virtue of one Act, intitled, *An Act for raising an additional Duty and Impost*, made this present Assembly, be paid by the Receiver-General into the Hands of the Persons hereafter nominated and appointed, or into the Hands of such Person or Persons whom they or the major part of them shall appoint. And be

be it farther enacted by the Authority
aforesaid, That the Right Honourable
Sir *William Beeston*, your Majesty's Lieu-
tenant-Governour and Commander in
Chief of *Jamaica*, and such as after him
shall succeed in the said Office of Gover-
nour or Commander in Chief of *Jamaica*,
for and during the Time they shall so
continue in the said Office; *Peter Becford*,
Esq; one of the Privy-Council of the said
Island, *Peter Leywood*, Esq; one other of
the Privy-Council of this Island, *Nicholas
Laws*, Esq; one other of the Privy-Coun-
cil, and Chief Justice of this Island, and
such as shall succeed him in the Place of
Chief Justice of this Island, during the
Time they shall continue Chief Justice;
Charles Knights, Esq; *Henry Lowe*, Esq;
Thomas Ayscough, Esq; *Richard Dawkins*,
Esq; *Charles Chaplin*, Esq; *James Banister*,
Esq; *Josiah Heathcote*, Esq; all of the
Privy-Council of this Island, and all o-
thers who shall hereafter be of the Privy-
Council of this your Majesty's Island of
Jamaica, during the Time they shall con-
tinue in the same Dignity; *Nicholas Ri-
chardson*, Esq; *John Clark*, Esq; *Edward
Turner*, Esq; *William Harris*, Esq; and
Arthur Meautis, Esq; Justices of the
Peace of the Parishes of *St. Thomas* and
St.

St. Davids in this Island, and such as hereafter shall be Justices of the *Quorum* in the said Parishes of St. Thomas and St. Davids, or either of them, during the Time they shall continue Justices, shall and may be a Body Politick and Corporate, and shall for ever hereafter stand and be incorporated, established and founded in Name and in Deed, a Body Politick and Corporate, to have Continuance and Succession for ever, by the Name of the *Directors of the Bath of St. Thomas the Apostle*; and by that Name to have perpetual Succession for ever. And the said Directors and their Successors for the Time being, shall and may have lawful Power, Licence and Authority, to purchase and hold to them and their Successors, all that Parcel of Land, containing by Estimation, Eleven Hundred and Thirty Acres, wherein the same Springs are, and that the said Springs and the Eleven Hundred and Thirty Acres of Land, when and as soon as the same shall be purchas'd by them, shall be call'd and known by the Name of the *Bath of St. Thomas the Apostle*; and that the Springs, and Lands, and all Edifices to be thereupon built, shall be and remain unto the said Directors for ever, for the Use and Benefit, as well

well of all your Majesty's loving Subjects as Foreigners.

And be it farther enacted by the Authority aforesaid, That the said Directors for the time being and their Successors shall have full Power and lawful Authority by the aforesaid Name of the *Directors of the Bath of St. Thomas the Apostle* to sue and be sued, implead and to be impleaded, to answer and to be answer'd unto, in all manner of Courts and Places, that now are and hereafter shall be within this Island of *Jamaica*, in all manner of Suits whatsoever, and of what Nature and Kind soever such Suits and Actions be or shall be, in the same ample manner and form, to all Intents, Constructions and Purposes, as any other Person or Persons, Bodies Politick and Corporate in the Realm of *England*, being able Persons in Law may do.

And be it farther enacted by the Authority aforesaid, That the said Directors and their Successors for the time being, shall and may have full Power and Authority to demise, lease or to farm let any Part or Parcel of the said Lands or Houses hereafter to be built; and be it farther enacted by the Authority aforesaid, That the said Directors and
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their Successors for the time being, may have and use a common Seal for the making, granting and demising of such their Demises and Leases, and for the doing all and every other thing touching or in any wise concerning the said Incorporation; and also that the said Directors or the major Part of them shall and may have full Power and Authority to change and alter the said Seal at their pleasure.

And be it farther enacted by the Authority aforesaid, That the said Directors and their Successors, or the most Part of them, shall and may have full Power and Authority under the said common Seal, to choose, nominate and appoint such and as many Officers as they or the most Part of them shall judge necessary and requisite for the said Corporation, and to pay and allow them such reasonable Pensions, Fees or Salaries as to them shall seem meet; and the same or any of them upon any Neglect or Misdemeanor to displace and remove, and upon the Death, Resignation, Deprivation or Removal of them or any of them, others in their place and stead to appoint and put, and to make, ordain set down and prescribe such Rules, Laws and Ordinances, for the Order, Rule

Rule and Government of the said Bath of *St. Thomas* the Apostle, and of the Officers belonging to the same; and that the same Orders, Rules, Statutes and Ordinances so by the said Directors and their Successors for the time being, or the most Part of them, made, set down and prescrib'd as aforesaid, shall be and stand in full Power and Strength in Law, the same not being repugnant or contrary to your Majesty's Prerogative Royal, nor to the Laws and Statutes of your Majesty's Realm of *England*, or of this your Island of *Jamaica*, nor to any Ecclesiastical Canons or Constitution of the Church of *England*, then in Force and use.

And be it farther enacted by the Authority aforesaid, That it shall and may be lawful for the said Directors or their Successors for the time being, and they have hereby full License, Power and Authority, to erect and establish, within the Bounds and Limits of the Bath of *St. Thomas* the Apostle, a Market for the killing, felling and vending of Neat and other Cattle, and Stock, and all other sorts of Provisions, to be held upon such Days and Times as the aforesaid Directors and their Successors for

the time being, or the major Part of them, under their Common Seal shall appoint; with the like full Power and Authority for the said Directors and their Successors for the time being, to order and appoint a Clerk of the said Market, with reasonable Fees and Allowances, not exceeding what by Law shall be establish'd in this Island in other Markets, and the said Clerk for his Misdemeanor or Neglect to displace and remove, and in Case of his Death, Resignation, Deprivation or Removal, others in his stead to appoint and put; and also to grant License or Licenses to such Person or Persons as they shall think fit, to sell and retail strong Liquors, without any Fee or Charge for the same, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That none of the Lands within the Limits of the Bath of *St. Thomas* the Apostle, nor any Part thereof, nor any Houses or Buildings thereon here-, after to be erected or built, shall be sold, alien'd or otherwise dispos'd of, than at Will or for Term of Years, not exceeding Twenty One Years, any Law, Custom or Usage to the contrary notwithstanding.

And

And be it farther enacted by the Authority aforesaid, That all and every Sum and Sums of Money that shall arise by virtue of any Lease or Leases of the said One Thousand One Hundred and Thirty Acres of Land, or any Part or Parcel thereof, which shall be demis'd and granted by the said Directors or their Successors for the time being, shall be imploy'd or laid out, either towards increasing the Buildings or mending the Roads to the Bath, and providing Necessaries and Conveniencies for sick and poor People, as the said Directors or their Successors shall think fit, and to no other Use, Intent or Purpose whatsoever.

An A C T

Appointing Scavengers, and Regulating Wharfage at Port-Royal.

WHereas the Town and Parish of Port-Royal hath not Land sufficient to elect Surveyors of the High-Ways, according to an Act, entitled, *An Act for the High-Ways*, made in the Thirty

Second Year of his late Majesty King *Charles* the Second, whereby the said Town cannot be kept so clean and healthful as it ought or might be.

Be it therefore enacted and ordained by his Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be lawful for the Justices and Vestry of *Port-Royal* aforesaid, who also are hereby required and obliged, every Year when they shall first meet to lay their Parish Tax, to elect and chuse Two or more Inhabitants of *Port-Royal* to be Scavengers in the said Town, and them to be empower'd by the Justices of the said Place to employ Rakers for the Cleansing of the Streets, Lanes, Allies and publick Places of the said Town, of the Dust, Filth and other Annoyances therein, and at such convenient Time and Times as shall be by the said Justices assign'd, to be carry'd away and removed to such Place or Places as to the said Justices shall seem meet, for the Health of the People, and keeping sweet and clean the said Place, and to pay the Rakers by the Hands of the Church-Wardens out of the Stock of the said Parish,

Parish, any Law, Custom or Usage to the contrary notwithstanding.

And if any Justice neglect his Duty, touching the Premises, or any Part thereof, he shall forfeit Ten Pounds: And every Vestry-Man, Scavenger or Clerk of the Vestry, who shall neglect his or their Duty, where no Penalty is before set, shall respectively forfeit Five Pounds for each Offence.

And be it farther enacted by the Authority aforesaid, That all Persons keeping publick Wharfs on *Port-Royal* aforesaid, shall be obliged to keep a Book, wherein he, she or they shall fairly enter the Marks and Numbers of all such Goods as shall be landed on his, her or their Wharf or Wharfs, and also the Names of the Person or Persons by whom landed, and the Name or Names of the Vessel or Vessels out of which the said Goods shall be taken, and also to take a Receipt of the Person or Persons to whom the said Goods shall be deliver'd. And if any Owner or Owners of Wharf or Wharfs shall receive Payment for any Goods landed on their said Wharf or Wharfs, or for any Vessel Lying and Undelivering or Lading thereat, the same Wharf or Wharfs shall be deemed and held to be

be a publick Wharf. And whatsoever Wharfinger shall neglect to keep such a Book, and to make such Entries as aforesaid, shall forfeit for every such Offence the Sum of Ten Pounds, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That it shall and may be lawful for any Owner or Owners of Wharf or Wharfs as aforesaid, from and after the first Day of *August*, in this present Year 1699, to demand and receive of any Person or Persons whatsoever, landing any Goods on his, her or their Wharfs, the Rates hereafter mentioned, *viz.* for each Hogshead of Sugar or other Goods of the product of this Country the Sum of One Shilling and Sixpence, for Wharfage, Landing, Covering, Weighing and Shipping off; and for Indico, Cotton, Piemento, and Ginger in Bagg or small Cask, *per* Hundred Three Halfpence for Landing, Wharfage and Weighing; and the like Sum of Three Halfpence *per* Hundred for Shipping off again. And for Wharfage and Weighing of each Ton of Logwood and all other Woods for the Dyers Use, the Sum of Fifteen Pence; and the like Sum

Sum of Fifteen Pence *per* every Ton for Weighing and Shipping off the same. And for each Ton of *European* Goods landed, or Goods from *North America* or the Western Islands, Two Shillings Sixpence *per* Ton, *Jamaica* Tonnage; and the like Sum of Two Shillings Six Pence *per* Ton for Shipping off the same again. And for Cocoa, Sarsaparilla and Jesuits Bark, the Sum of Three Halfpence *per* Hundred Weight; and for Salt a Halfpenny *per* Bushel. And each Wharfinger is hereby oblig'd to keep a Crain, and Skids, and Tarpaulins for securing of Goods landed upon their Wharf or Wharfs from the Weather, on Penalty of forfeiting the Sum of Forty Shillings for every Default, and be farther liable to pay any Damage that shall be done to any Goods lying on their said Wharf.

And whereas many of the Inhabitants of *Port-Royal*, having Lands adjoining upon his Majesty's Streets next the Harbour sunk in the late dreadful Earthquake, which said Inhabitants are willing to fill up the said Streets adjoining to the said Land, provided they may enjoy the Benefit of the said Streets for Wharfs; in Consideration of the great Charge they will be at in filling the same, until such time

time as any other Person or Persons that have Land on the other side of the said Streets shall fill up their respective Land, which will be of great advantage to the Island in general; be it therefore enacted by the Authority aforesaid That any Person or Persons filling up any part of a Street as aforesaid, shall enjoy, possess and receive the Profit and Benefit thereof as a Wharf for the Term of Ten Years, or until such time as the Proprietor or Proprietors of the Land lying on the other side of the said Street shall fill up their said Lands.

And whereas there are several publick Streets, Lanes and Alleys, the Ends of which are adjoyning to the Harbour, and convenient for the Water, Canoes, Boats and Wherries to unlade at, no Person or or Persons whatsoever shall be suffered to Wharf or fill up the Ends of the said Lanes, Streets or Alleys towards the Harbour, to prevent or hinder the said Canoes, Boats or Wherries from landing or taking on board their Water or other Freight, any thing in this Law or any other to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That the several Forfeitures

tures and Penalties in this Act mentioned, shall be one Moyety to the use of the Parish of *Port-Royal*, and the other Moyety to the Informer, to be recovered, if not exceeding Forty Shillings, before any Justice of the Peace, and if above Forty Shillings by Bill, Plaint or Information in any Court of Record within this Island, wherein no Essoign, Protection or Wager of Law shall be allowed, any Law, Custom or Usage to the contrary notwithstanding.

An A C T

For erecting and establishing a Free-School in the Parish of St. Andrews.

Humbly beseeching your most Excellent Majesty, *Nicholas Law* of the Parish of *St. Andrews* in the Island aforesaid, Esq; being seiz'd in his Demesne as of Fee, of and in two Acres and a half of Land, situate lying and being at half Way Free in the Parish of *St. Andrews* aforesaid, butting South Easterly
on

on the great Road, East on *Thomas Webb*, Northerly on *Francis Daniel*, and West Southerly on the said *Nicholas Law*, whereon is a Messuage and Buildings thereto belonging convenient for a Free-School; That it may be enacted, ordained and established, and be it enacted, ordained and established by your Majesty's Lieutenant-Governour, Council and Assembly of this Island, and it is hereby enacted, ordained and established by the Authority of the same, That it shall and may be lawful to make and establish on the said Land a Free-School, for the abiding, dwelling and necessary Use of one or more School-Masters and Ushers of the Religion of the *Church of England*, for the instructing without Charge of Youth, in Reading, Writing, Latin, Greek, Hebrew, Arithmetick, Merchants Accompts and the Mathematicks, the Children of the Parish of *St. Andrews* and *Kingston*, and the Chlidren of all such as shall settle to the value of Five Pounds *per Annum*, or pay Fifty Pounds Currant Money of *Jamaica*, for the Improvement and Advancement of the said School; and that the same shall and may be called and named *St. Andrews Free-School*; and that there be Seven fit and able Persons of the
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the Parish of St *Andrews* and *Kingston* afore said, nominated and appointed Governours of the said Free-School; and that upon the Decease or Resignation of or Departure from this Island of any of the said Governours of the Parishes of St. *Andrews* and *Kingston* afore said, others of the same Parishes within Three Months after such Death, Resignation, or Departure from this Island, shall and may be chosen by the rest of the Governours, or the major Part of them, out of the Inhabitants of the said Parishes; and that *James Bradshaw*, *Edward Harrison*, *Peter Robinson*, *Josiah Heathcote*, *Charles de la Cree*, *Thomas Clarke*, Jun. and *Thomas Ashburne*, Esqs; shall and may be Governours of the said Free-School; and that they the said Governours, and they who shall succeed by such Choice and Election, shall be Governours of the said Free-School and of the Land and Houses now used and occuppyed, given by the said *Nicholas Law*, and of all Messuages, Lands, Tenements and Hereditaments whatsoever, which shall or may be given by any Person or Persons whatsoever, or purchas'd by the said Governours or their Successors, for the Use or Benefit of the said Free-School, at all times hereafter
for

for ever ; and that the said Governours and their Successors, and Free-School shall for ever hereafter stand and be incorporated, established and founded in Name and in Deed a Body Politick Incorporate, to have continuance for ever, by the Name of the *Governours of the Free-School of St. Andrews* ; and that they the said Governours may have perpetual Succession : And that by that Name they and their Successors may for ever hereafter have, hold and enjoy the said Free-School, and all Messuages, Lands, Tenements, and Hereditaments, and all Gifts or Beneficences, which at any time or times hereafter shall be given or purchas'd for the Use and Benefit of the said Free-School, without any License of or for the Statute of *Mortmaine*, or any other Statute to the contrary notwithstanding. And that the said Governours or their Successors, or the major Part of them, by the same Name, shall and may have Power, Ability and Capacity to Demise, Lease and Grant their Possessions and Hereditaments as above given by the said *Nicholas Law*, and every of them ; and to take, acquire and purchase, and to sue and be sued, and to do, perform and execute all and every lawful Act and thing good and
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necessary and profitable for the said Corporation, in as full and ample Manner and Form, to all Intents, Constructions and Purposes, as any other Corporation or Body Politick and Corporate fully and perfectly Incorporated may do. And that the said Governours and their Successors for the time being, may have and use a Common Seal for the making, granting and demising of such their Demises or Leases, and for the doing of all and every other thing or things touching or in any wise concerning the said Corporation: In which Seal shall be engraven the Arms of the said *Nicholas Law*. And also that it may be enacted by the Authority aforesaid, and be it enacted by the Authority aforesaid, That the Governours or their Successors for the time being, or the most Part of them, shall have full Power and Authority to nominate, and shall and may nominate and appoint when and as often as they shall think good, such Person or Persons as they shall think meet to be School-Masters and Ushers of the said School, and receive into the said School as many poor Children as the said Governours, or the major Part of them for the time being, shall think fit, to be maintain'd in proportion to the Revenues
of

of the said School for the time being; and when any of them by Death, Resignation, Deprivation or otherwise shall become void, shall and may within three Months next after such voidance, by Writing under their said common Seal, nominate and appoint one or more learned, godly, discreet and meet Men and Persons to be School-Masters and Ushers and Children in the Places of them, and every of them so deceasing, resigning or otherwise becoming void; and that they the said Governours and their Successors may from time to time expend such Sum or Sums of Money in proportion to the Revenues of the said School, and as the same will bear it, in and about the repairing, maintaining, upholding or enlarging of the said Messuage and Buildings thereto belonging, as to the said Governours for the time being or major Part of them shall seem meet, requisite and necessary.

And that it may be enacted by the Authority aforesaid, and be it enacted by the Authority aforesaid, That the said Governours and their Successors for the time being, or the major Part of them, shall and may have full Power and Authority under the said common Seal, to
make,

make, ordain, set down and prescribe such Rules, Statutes and Ordinances for the Order, Rule and Government of the said Free-School and of the said Masters, Ushers and Children, and their Successors for their and every of their Stipends and Allowances, for and towards their and every of their Maintainance and Relief, as to the said Governours or their Successors for the time being, or the most Part of them, shall seem meet and convenient; and that the same Orders, Rules, Statutes and Ordinances so by them or the major Part of them made, set down and prescribed as aforesaid, shall be and stand in full Force and Strength in Law, the same not being repugnant nor contrary to his Majesty's Prerogative Royal, nor the Laws and Statutes of *England* or this Island, nor to any Ecclesiastical Canons or Constitutions of the Church of *England*: And that the Governours and their Successors for the time being, or the most Part of them, shall and may have full Power and Authority to visit the said School, and to order, reform and redress all Disorders and Abuses in and touching the Government and disposing of the same; and farther to censure, suspend and deprive the said School Masters,
V Ushers;

Ushers, poor Children for the time being, and every or any of them, as to them or the major Part of them shall seem just, fit and convenient.

And it is also enacted by the Authority aforesaid, That it shall not be lawful for the Governours for the time being, or any of them, to or for their own private Use or Benefit to buy, sell, rent, or lease any of the Lands or Tenements settled, purchas'd or given for the Uses aforesaid.

And it is farther enacted by the Authority aforesaid, That if any of the Governours for the time being shall decease, resign or depart this Island, and the surviving or remaining Governours shall refuse or neglect to chuse others in their Room or Stead within Three Months after such Death, Resignation or Departure, that then it shall and may be lawful to and for the Governours of this Island for the time being, by Letters Patents under the Broad Seal of this Island, to nominate and appoint such Person or Persons as he shall think fit, to the Governour or Governours of the said School, in the Place or Places of those so deceased, resigned or departed, any Law, Custom or Usage to the contrary in any wise notwithstanding.

An A C T

For Dividing the Parish of St. Elizabeths into two distinct Parishes for the Ease of the Inhabitants.

W Hereas the Parish of St. Elizabeths is of such large Extent, that the Inhabitants without long Time of Warning, extraordinary Fatigue, loss of Time and great Expence, cannot convene and appear on publick Occasions either at Church, Election of Members to serve as Representatives in Assemblies, choosing Church-Wardens or Vestry-Men, laying on Taxes, appointing Surveyors, and many other Privileges as Subjects of England, are thereby lost; and whereas the Quantity of Land, Number of Settlements, and Inhabitants contained in the said Parish are sufficient for Two several and distinct Parishes: Be it therefore enacted and ordained by her Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That the said Parish of St. Elizabeth be divided and is hereby divided into Two

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separate and distinct Parishes, at a Place commonly called and known by the Name of *Scots Cove* in *Syrranam* Quarters, from thence due North-East shall divide the said Two Parishes, and from the Eastward of the said Division to the Parish of *Clarendon* and *Vere*, shall be a distinct and separate Parish, to be called and known by the Name of the Parish of *St. Elizabeths*; and to the Westward of the said Dividing as aforesaid, to the South-Bounds of the Parish of *St. James*, shall be a distinct and separate Parish, and is hereby called and to be known by the Name of the Parish of *Westmorland*; which said Two Parishes shall be and for ever hereafter taken and esteemed, to all Intents and Purposes, Two distinct Parishes, separate from each other, and be called and known by the Names of the Parishes of *St. Elizabeths* and *Westmorland*; and have, use, exercise and enjoy all and every the Powers, Authorities, Benefits and Privileges, Rights, Immunities and Customs, that all or any of the Parishes or Precincts within this Island have or ought to have, use, exercise, or enjoy of common Right, or by Virtue of any general Act or Acts of this Country, as fully, amply and

and effectually as if they had been Two distinct and separate Parishes or Precincts, and therein by Name expressly mentioned and specified, any Law, Custom or Usage to the contrary notwithstanding.

And whereas it may be suppos'd that the Parish of *St. Elizabeths*, before the Separating and Dividing thereof, was indebted and in Arrear in Taxing, Levying and Paying some publick Debt or Sum of Money; and whereas there is already, before the Dividing of the Parish as aforesaid, Money taxed, collected or pay'd to the Church-Wardens or Constables; Therefore be it enacted and ordained by the Authority aforesaid, That the Church-Wardens, which shall be next chosen for each of the Two several and respective Parishes, shall have and receive, sue for or recover such Proportion of the Money already taxed, levy'd or pay'd, as was taxed, levy'd, collected or pay'd in or by the Inhabitants of the Parish of *Westmorland* before they were divided; and that each of the said Parishes shall raise Money according to the Proportion aforesaid, for the Payment and Discharging such publick Debts as were due from

the Parish of *St. Elizabeths* at the Time of the Dividing the same into Two separate and distinct Parishes, any Law, Custom or Usage in any wise to the contrary notwithstanding.

An A C T

For Raising a Revenue to her Majesty, her Heirs and Successors, for the Support of the Government of this Island, and for Maintaining and Repairing her Majesty's Forts and Fortifications.

WHereas your Sacred Majesty and your Royal Predecessors, out of your great Tenderneſs to your Majesty's Subjects of this your Island, upon the Complaint of the Planters and Merchants, were pleas'd to forbear Confirming an Act paſs'd here in the Government of his Grace the Duke of *Albemarle*, intitl'd, *An Act for raising a publick Revenue to the King, his Heirs and Successors, for the Support of the Government of this his Majesty's Island;*

Island; and whereas your Majesty was pleas'd by your Royal Instruction to your Majesty's present Lieutenant-Governour, dated at your Court at *St. James's* the Twenty Fifth Day of *February*, in the First Year of your Majesty's Reign, *Anno Domini* 1702, which was communicated to this Assembly the Twenty Sixth Day of *May*, *Anno Domini* 1703. to signify, that your Majesty did allow till the Month of *November* next to pass and offer such other Act to your Majesty for the Settling the Revenue of this Island, as may be fit to receive your Royal Approbation: We therefore your Majesty's most Dutiful and Loyal Subjects the Assembly of this your Island of *Jamaica*, do most humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That for and towards the Support of the Government of this your Majesty's Island and the contingent Charges thereof, from henceforth all the following Liquors, Goods, Wares and Merchandizes hereafter specify'd, that shall be imported into this your Majesty's Island, shall pay as a Duty and Impost as followeth, *viz.*

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All *Spanish* and *Madera* Wines *per* Ton, Four Pounds.

All Wines imported of the Growth of the Western-Islands, or Mixture of the *Madera* Wines with those of the Western-Islands, commonly call'd the *Azores*, the Sum of Twenty Pounds *per* Ton.

Every Ton of *French*, *Rhenish* or *Portugal* Wines, Three Pounds.

Every Gallon of Brandy, One Shilling.

Every Gallon of *English* Spirits, Three Pence.

Every Ton of Beer, Ale or Cyder Eight Shillings.

Every Ton of Mum or Metheglin Two Pounds.

For every Hundred Weight of white Sugar, Fifteen Shillings.

For every Hundred Pound of Muscovado or Panneel Sugar, Six Shillings.

For every Pound of Tobacco, Two Pence.

For every Hundred Pound of Ginger, Ten Shillings.

For every Pound of Indico, One Shilling Six Pence.

For every Pound of Cotton, Three Pence.

For every Gallon of Rum, One Shilling Six Pence. For

For every Hundred Pound of Cocoa,
Ten Shillings.

And so proportionably for a greater
or lesser Quantity of the several Liquors
and Goods aforesaid, imported into this
your Majesty's Island by Way of Mer-
chandize ; Prize Goods brought into this
Island, by any Privateers or other law-
ful Captors, only excepted.

And be it farther enacted by the Au-
thority aforesaid, That every Merchant
or other Person Importing any of the
Wines or other Liquors aforementioned
into this your Majesty's Island, shall, be-
ing thereunto required by your Majesty's
Receiver-General, his Deputy or Colle-
ctor, within Twenty Days after Land-
ing the same, make up Accompts and
pay, or if exceeding the Sum of Five
Pounds give Bond to your Majesty in
the Penalty of double the Value the
same shall amount unto, for the sure
Payment of the Impost hereby rais'd ;
and upon such Accompt so to be made
up and Bond given as aforesaid, shall
be allow'd after the Rate of Ten *per*
Cent. for Leakage, and shall have Time
given him in the said Bonds for Payment
of the said Impost as is hereafter men-
tion'd ; that is to say, from the End and
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Expiration of the first Two Months, from the making up such Accompts, to pay one Third Part thereof, and another Third Part at the End of the Fourth Month, and the Remainder at the End of the Sixth Month; and that every Hogshead of Wine or other Liquors, that shall not have full Seven Inches or above left therein, and every Butt or Pipe not above Nine Inches, shall be accounted for out, and the Merchant or Importer freed and acquitted of and from the Impost of the same. And in Case any Difference shall arise between the Importer or Master of the Vessel, touching Leakage on Board, and for Wine or Liquors that shall happen to sour within the aforesaid Twenty Days, the Person or Persons so aggrieved shall have a Warrant of Survey from the Naval Officer for the Time being, (who is hereby impower'd and requir'd to grant the same) and that Returns of such Warrants to be granted as aforesaid shall be made upon Oath to the said Naval Officer, and by him remitted to the Receivers Office, in order to making up their Accompts with the said Receiver, and better proving their Damages by ill Stowage or otherwise:
And

And in Case any such Master or Importer shall (being thereunto requir'd as aforesaid) refuse to make up his Accounts and to pay or give in Bond as aforesaid, he shall lose the Benefit of Ten *per Cent.* for Leakage, and Time given for Payment of the Impost ; and if the Receiver shall be forc'd to sue for the same, and shall thereupon recover, the Defendant shall pay treble Damages.

And it is farther enacted by the Authority aforesaid, That if at the Entry of any Ship or Vessel in the Naval Office, it shall appear by the Master's Report or otherwise, that he hath imported any *Madera* Wines, he the said Master or the Boatswain shall take the following Oath, which the said Naval Officer is hereby impower'd and requir'd to administer..

I A. B. do Swear, that the Wines by me Imported were taken on Board at the Island of Madera, and that I do not directly or indirectly know but that the said Wines are of the Growth of the said Island, without any Mixture of the Wines of the Growth of any of the Western Islands. So help me God.

And

And if the said Master or Boatswain shall refuse to take the abovesaid Oath, that then the said Wines so imported, shall be deem'd and taken to be Wines of the Growth of the Western-Islands, and shall pay the Duty or Impost accordingly.

And it is farther enacted and declared by the Authority aforesaid, That if all or any of the aforesaid Liquors or Goods liable to the Duties aforesaid, be landed and afterwards exported within Twelve Months after the Importation thereof, that the Receiver shall discompt or repay unto the Owners or their Assigns half the Customs of the said Liquors and Goods, according to the Rates before-mentioned, which the Receiver, his Deputy or Collector requir'd is to repay or discompt, on the Penalty of double the Sum for every such Refusal to the Party aggriev'd.

And it is likewise farther enacted and declar'd by the Authority aforesaid, That all Ships and Vessels coming from any Place to the Northward of the Tropick of *Cancer* to Trade within this Island, shall respectively pay for every Ton such Ship or Vessel shall contain, and for every time they arrive, one Pound of good and
new

new Gunpowder ; and also all Ships and Vessels trading any way to the Southward of the Tropick of *Cancer*, shall respectively pay for every Ton such Ship or Vessel shall contain, one Pound of good and new Gunpowder once every Year, and no more, for and towards the Use of your Majesty's Forts and Fortifications.

And it is likewise farther enacted and ordain'd by the Authority aforesaid, That the Receiver appointed for the Receipt of such Gunpowder, shall receive the same in Specie, and not presume in lieu thereof to receive Money, or any other Consideration whatsoever, upon Penalty of Twenty Pounds Currant Money of this Island for every such Offence.

And it is likewise enacted by the Authority aforesaid, That if any Master or Commander of any Ship or Ships, Merchant, Factor, Purser, Mariner, or any other Person whatsoever, without the presence of the Receiver-General, or his Deputy or Collector, or some Person appointed by him or them, or notice given to one of them before his or their regular Entry made with the said Receiver, or payment of the Duty, or Security given by Bond as aforesaid, shall after Sun-Set
and

and before Sun-Rising put on Shoar, or put into any Boat or Vessel in order to landing any of the Liquors, or any Goods contain'd or mention'd in this Act, with an Intent to defraud her Majesty of her Customs for the same, the said Liquors and Goods shall be Forfeited; two thirds to her Majesty, her Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, and the other third Part to the Informer or Seizer, be it the Receiver, Collector, or his or their Agent or Agents, or any other Person whatsoever; the same to be recover'd by Bill, Complaint or Information in any of her Majesty's Courts of Records within this Island, wherein no Essoign, Protection or Wager of Law shall be allow'd, or *Non vult ulterius prosequi* enter'd, any thing in this Act or any other to the contrary thereof in any wise notwithstanding. And all manner of Persons are hereby requir'd to be aiding and assisting to the Receiver, Collector, his or their Agent or Agents, the Informer, Discoverer and Seizer of such Liquors and Goods, so landed or unladen contrary to the true Intent and Meaning of this Act.

And

And it is hereby farther enacted by the Authority aforesaid, That it shall and may be lawful for the Receiver, Collector, his or their Agent or Agents, the Informer or Discoverer, by virtue of a Warrant from the Commander in Chief, or any one of her Majesty's Justices of the Peace to that purpose first obtain'd, with one Constable or more, to search all manner of suspected Houses, Cellars, Warehouses and Shops, for such Liquors and Goods, as they or any of them shall be inform'd were carry'd or convey'd there to be concealed, in prejudice to the true Meaning of this Act; and such Liquors and Goods so found shall be forfeited and condemn'd in manner before mention'd; provided that the Search be made within Three Days after Information.

And it is likewise farther enacted and ordained by the Authority aforesaid, That the Receiver-General or Collector, by himself or Deputy, shall give his Attendance on all working Days at his Office, from Nine to Eleven of the Clock in the Morning, and from Two till Four in the Afternoon, upon Penalty of Twenty Pounds Currant Money of this Island for every Default.

And

And be it farther enacted by the Authority aforesaid, That the Receiver-General or Collector, or his lawful Deputy, shall have and detain the Sum of Five Pounds *per Cent.* and so *pro Rata*, and no more, both for receiving and paying all Money arising, or which shall arise or come to his Hands by virtue of this Act, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And be it likewise enacted and ordain'd by the Authority aforesaid, That all and every Person and Persons whatsoever, within this Island, which from henceforwards shall have or receive from the Governour or Commander in Chief of this Island a License to sell and retail any strong Liquors in any Part of this Island, shall pay to her Majesty, her Heirs and Successors, yearly, and every Year he shall take out or renew the same, the Sum of Five Pounds Currant Money of this Island; and whosoever shall presume to sell by Retail any of the strong Liquors mentioned in this Act, without such License had and obtain'd as aforesaid, shall forfeit for every such Offence the Sum of Ten Pounds Currant Money of this Island.

And

And it is hereby enacted and ordained by the Authority aforesaid, That if any new Settler or Comer to this Island shall import into this Island any Rum, Sugar, Tobacco, Indico, Cocoa, Ginger or Cotton, by himself or any other Person or Persons, for his, her or their better Conveniency in Settling and Planting, and shall not only declare his, her or their Intention of the same upon Oath before the Receiver or Collector, who is hereby impower'd and requir'd to administer the same at the time of Importation, but shall likewise make the same appear within Three Months after his, her or their Arrival by some visible Effect, which he or they shall show in Order to it, (and the same being sufficiently prov'd to the said Receiver or Collector) that then and in such Case such Goods as aforesaid shall not be chargeable with any Duty or Custom, any thing in this Act to the contrary notwithstanding. Provided also, That it shall and may be lawful for any Master or Merchant of any Ship or Vessel to Land or put on Shoar any of the said Goods, without being farther liable to pay any Duty or Custom for any Part or Parcel thereof, more than what he shall sell or dispose of within this Island,

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any thing in this Act to the contrary notwithstanding.

And it is farther enacted by the Authority aforesaid, That as well her Majesty's Quit-Rents, Fines, Forfeitures and Escheats, and every Part and Parcel thereof, arising within this her Majesty's Island, as the Impost and Revenue hereby granted, or which hereafter shall grow and become due by virtue of this Act, or any thing herein contain'd, shall be apply'd and appropriated, and are hereby appropriated to the support of the Government of this Island and the contingent Charges thereof, and to no other Use, Intent or Purpose whatsoever; provided always, That this Clause nor any thing therein contain'd shall extend to be deem'd or construed to extend to take off or lessen the Prerogative of her Majesty, her Heirs and Successors, in pardoning and remitting such Fines and Forfeitures as she or they in their great Wisdom and Clemency shall on due Consideration think fit to pardon and forgive.

And that your Majesty's Forts and Fortifications within this Island may for the future be keep in better Repair, and if your Majesty in your great Wisdom shall think

think convenient, other new ones built for the better Defence of this your Majesty's Island, and farther Encouragement of your Subjects to come, settle and plant, whereby your Majesty's Customs at home may be augmented and improved;

Be it farther enacted by the Authority aforesaid, That the Sum of One Thousand Two Hundred Fifty Pounds *per Ann.* arising as aforesaid, be yearly and every Year paid and appropriated unto the repairing, building and rebuilding of your Majesty's Forts and Fortifications within this Island, and to no other Use, Intent or Purpose whatsoever, and the same is hereby appropriated accordingly.

And it is farther enacted by the Authority aforesaid, That the Collector or the Receiver-General of this Island, for the time being, or he that shall Officiate in his Room or Stead, shall annually out of the Money receiv'd by Virtue of this Act, charge down the aforesaid One Thousand Two Hundred and Fifty Pounds so as aforesaid appropriated, to the particular Accompt of your Majesty's Fortifications, and shall keep a distinct Book of Accompts for the same; which Book of Accompts shall be free

and open at all Office Hours for all Persons to view the same, without paying any manner of Fee therefore.

And that such Collector, Receiver-General or his Deputy, shall when and as often as thereunto requir'd by the Governour, Council and Assembly when sitting, or to any Committee by them or either of them to be appointed, give in upon Oath (which Oath they are hereby impower'd to administer) a just and true Account of the particular Disbursements out of the said One Thousand Two Hundred and Fifty Pounds *per Ann.* so appropriated as aforesaid, and also for all Money arising or that shall come into his Hands by Virtue of this Act; and that the said Collector or Receiver-General shall with good and sufficient Security, such as shall be approv'd of by the Governour and Council, enter into Bond in the Penalty of Five Thousand Pounds, which Bond shall lie and be recorded in the Secretary's Office, under the Condition hereafter express'd; that is to say, the Condition of this Obligation is such, that if the above bounden *A. B.* Collector or Receiver-General, shall well and truly Accompt as often as he shall be thereunto re-

requir'd by the Governour for the Time being, and Council, or the Assembly of this Island when sitting, or a Committee thereof, for all and every such Sum or Sums of Money which either have or shall come into his Hands, either by Virtue of an Act, intitl'd, *An Act for raising a publick Impost*, made at an Assembly held by Prorogation the Twenty First Day of September, in the Thirty Fourth Year of the Reign of his late Majesty King Charles the Second, (of blessed Memory) or an Act, intitl'd, *An Act for raising a publick Revenue for the Support of the Government of this his Majesty's Island*, made at an Assembly held by Prorogation the Fifth Day of September, in the Thirty Fifth Year of the Reign of his said late Majesty, or any other Act or Acts whatsoever; as also well and truly pay the Sum of One Thousand Two Hundred and Fifty Pounds Yearly and every Year for and during the Time of a certain Act, intitl'd, *An Act for raising a publick Revenue to the King, his Heirs and Successors for the Support of the Government of this his Majesty's Island*, made at an Assembly held at St. Jago de la Vega the Twentieth Day of July, in the Fourth Year of the Reign

of the late King *James* the Second; and also by Virtue of this present Act, by Warrant from the Governour and Council, for and towards the repairing and building Forts and Fortifications, and also pay all other Sums of Money according to the Intent and Meaning, and to the Uses mention'd and directed in the said Act and in this present Act; that then this Obligation to be void, otherwise to remain in full Force and Virtue.

And in Case the Collector or Receiver-General, or his Deputy, shall presume to act in the said Office longer than Twenty Days after the Publication of this Act, before he or they have enter'd into Bond as before requir'd, or shall misapply or pay any Part or Parcel of the One Thousand Two Hundred and Fifty Pounds so apply'd and appropriated as aforesaid, he or they shall for every such Offence forfeit the Sum of Two Thousand Five Hundred Pounds Currant Money; the one Half whereof shall be to our Sovereign Lady the Queen, her Heirs and Successors, for the Support of the Government of this Island, to be laid out upon the Fortifications; and the other Half to him

him or them who shall sue for the same, in any Court of Record within this Island, where no Essoign, Protection, Injunction, Wager of Law or *Non vult ulterius prosequi* shall be admitted or allow'd, any Thing in this Act or any other seeming to the contrary notwithstanding. And that the said Collector or Receiver or his Deputy shall not at any time hereafter, upon any Pretence whatsoever, pay the said One Thousand Two Hundred and Fifty Pounds *per Ann.* or any Part or Parcel thereof, or any other Sum or Sums of Money whatsoever, arising from the Quit-Rents, or by Virtue of this Act appropriated, unless he or they shall first have and receive for his or their Authority a Warrant under the Hand and Seal of the Governour or Commander in Chief for the Time being, with the Advice and Consent of the Council, expressing the Sum to be paid, and the End and Purpose whereunto the Sum is or shall be apply'd, with a particular Accompt thereunto annex'd, manifesting for what the said Money became due to the Person to whom it is payable; and in Case the Collector or Receiver-General or his Deputy shall, contrary to the true In-

tent and Meaning hereof, pay any Sum or Sums of Money whatsoever, or if any other Person or Persons whatsoever shall misapply any of the Monies so as aforesaid appropriated, contrary to the true Intent and Meaning of this Act, the Offender or Offenders shall forfeit and pay treble the Sum by him or them so paid or misapply'd.

And be it farther enacted by the Authority aforesaid, That all Forfeitures and Penalties mention'd in this Act, and not declar'd how they shall be dispos'd of, and in what manner to be recover'd, shall be one Half to our Sovereign Lady the Queen, her Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, and the other Half to the Informer; to be recover'd by Bill, Plaint or Information in any Court of Record, wherein no Essoign, Protection, Wager of Law, *Non Vult ulterius prosequi* or Injunction shall be allow'd, any Thing in this Act or any other to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That all and every the Laws of *Jamaica* confirm'd in Council by his Majesty King *Charles* the Second,
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on the Seventeenth of *April*, 1684. for the Space of Twenty One Years, and not heretofore or hereby repeal'd, and also this Act and all and every Clause or Clauses therein contain'd, shall be and are hereby declar'd to be continu'd and remain in Force for the Space of Twenty One Years, to commence from the first Day of *October* in this present Year 1703. any Thing in this or any other Act contain'd to the contrary in any wise notwithstanding.

And be it farther enacted and ordained by the Authority aforesaid, That from and after the Passing this Act, an Act intitl'd, *An Act for raising a publick Revenue for the Support of the Government of this his Majesty's Island*, made at an Assembly held at the Town of *St. Jago de la Vega*, by several Prorogations the Fifth Day of *September*, *Anno Domini* 1683. in the Thirty Fifth Year of the Reign of his late Majesty King *Charles* the Second, (of Blessed Memory) and also an Act, entitled, *An Act for raising a publick Revenue to the King, his Heirs and Successors, for the support of the Government of this his Majesty's Island*, made at an Assembly held at the Town of *St. Jago de la Vega*, upon the Twentieth Day of *July*,

ly, *Anno Domini* 1688, in the Fourth Year of his late Majesty King *James* the Second, and all and every Clause and Clauses in each or either of them contain'd, be and are hereby repealed to all Intents and Purposes whatsoever, as if the said Acts or either of them had never been made, any thing in the said Acts contain'd to the contrary in any wise notwithstanding.

An A C T

*To Encourage the Importation
of White Men.*

WHereas the Importing of White Servants will very much conduce to the Security and Advantage of this your Majesty's Island; and to the Intent that due Care may be taken and Encouragement given to all Masters and Owners of Ships and Vessels, and others who shall Import Servants, either for the disposing of and paying for the same, and defraying such Charges as may or shall arise, accrue or become due by this Act; we your Majesty's most Dutiful and Loyal Sub-

Subjects the Assembly of this your Majesty's Island of *Jamaica*, do humbly beseech your Majesty that it may be enacted, and be it enacted by your Majesty's Lieutenant-Governour, Council and Assembly, That a Sum of Money not exceeding Five Hundred Pounds, being Part of a Fund arising by an Act, entitled, *An Act for raising an Additional Duty and Impost*, or which hereafter shall arise by virtue of an Act, entitled, *An Act for raising and appropriating an Additional Duty and Impost*, together with the several Sums herein after named, be and is hereby appropriated for the Uses within this Act mentioned; and that every Master and Owner of Slaves may have their due proportion of White Servant-Men according to their Number of Slaves, (that is to say) for their first Ten Slaves, Old and Young, one White Servant-Man; and for their first Twenty Slaves, Old and Young, two White Servant-Men; and one White Servant-Man for every Twenty Slaves after the first, to be resident in the Plantation where such Slaves are employed; and all Persons having or that shall have Neat Cattle, Horses, Mules or Assinagoes, shall for the first Sixty have one White Servant-Man, and one for every

every Hundred after the first Sixty, to be resident where such Stock are or shall be kept, under the Penalty of Forfeiting Forty Shillings for every refusal of such Servant as shall be placed by the Collector or Receiver-General, in pursuance of this Act; and all Boats, Wherries and Canoes that ply within the Harbour of *Kingston, Passage Fort* or *Port Charles*, shall in every such Boat, Wherry or Canoe, be oblig'd to keep one White Man, qualify'd to bear Arms, to be employ'd in the said Boat, Wherry or Canoe, under the Penalty of forfeiting Forty Shillings *per* Month Currant Money of this Island as aforesaid: And it shall and may be lawful for the Justice or Justices of the Parish where such Offence shall be committed, to Issue forth his or their Warrant or Warrants to the Constable or Constables, to distrain upon any such Boat, Wherry or Canoe, (altho' it be in time of Martial Law) and expose them to sale by publick Outcry in the Parish where the Offence shall be committed; but if the Master or Owner of any Boat, Wherry, or Canoe will Ply or Work in his said Boat, Wherry or Canoe, he shall be deemed, taken and esteemed to all Intents and Purposes in lieu and instead of a White Servant, any
Law,

Law, Custom or Usage to the contrary notwithstanding. And to prevent all Frauds that may be committed by any Owners or Plyers of Wherries, Canoes or Boats as aforesaid, be it farther enacted, That within Ten Days after the passing of this Act, no Boat, Wherry or Canoe do or shall Ply in the Harbour of *Kingston*, *Passage-Fort*, or *Port Charles*, until the said Boat, Wherry or Canoe be Numbered; and the Boat, Wherry or Canoe, and Number, with the Name of the Owner thereof, be first Registred in her Majesty's Naval Office, and the Number, with the Sirname of the Owner or Owners, wrote at Length, be placed upon the upper Part of the Outside of the Stern of the said Boat, Wherry or Canoe, and on no other Part, in large and plain Letters and Figures, upon the Penalty of Forty Shillings for each and every Offence; which Number the Naval Officer is hereby required, under Penalty of Forty Shillings, to Register, with the Name of the Owner or Owners, in Order as they come, and deliver in Writing the Number to be placed on the said Boat, Wherry or Canoe, and receive for his Fee Two Shillings and Sixpence, and no more. And be it farther enacted by the
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the Authority aforesaid, That no Merchant, Master or Importer of White Servants, shall presume to Bargain or Sell any Servant or Servants within Six Days after their Arrival, under the Penalty of forfeiting one Hundred Pounds Currant Money of this Island, for every Servant so disposed of. And to the Intent that all due Encouragement may be given to all Merchants and other Importers as aforesaid, if any Servant or Servants remain undisposed of for the space of Seven Days after the Expiration of the time aforesaid, that then and in such Case, the Merchant, Master or Importer of such Servants, may give a List of the said Servants to the Collector, Receiver General, or his lawful Deputy, who is hereby obliged to take and receive the said Servants, paying to the said Importer if in time of War the Sum of Eighteen Pounds Currant Money of this Island *per* Head, and in time of Peace Fourteen Pounds *per* Head, provided such Servant or Servants be *English, Scots, Welsh*, or of the Islands of *Jersey, Guernsey, or Man*; and for all *Irish* Servants the Sum of Fifteen Pounds *per* Head in time of War, and Twelve Pounds in time of Peace; Provided also that all such Servants be not under

under the Age of Fifteen, and not above the Age of Forty Years; and that no Convicts, *Jews*, *Quakers*, sick, decrepid or disabled Persons be within the Construction of this Act; and the Collector or Receiver-General receiving such Servants, shall forthwith send the same to the *Custos Rotulorum*, or in his Absence to any two Justices of the Peace, one being of the *Quorum*, of the Parish or Precinct where the greater Deficiencies are, in proportion to Slaves. And to the Intent that the Collector or Receiver-General may be duly informed of the Deficiencies of each Parish or Precinct, be it farther enacted by the Authority aforesaid, That all Persons, by themselves or Overseers, are hereby obliged once every Six Months, under the Penalty of Ten Pounds for each and every Offence, to give an Account upon Oath to the Justices in Sessions, or where no Sessions are to any two Justices, the Number of their Slaves, and Cattle, and Servants hired for the space of Six Months, that the *Custos Rotulorum* or two Justices, whereof one to be of the *Quorum*, do forthwith send a List of the Deficiencies to the Collector or Receiver-General, under the Penalty of Fifty Pounds Currant Money of this Island, that upon the Ar-
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rival of Servants he may supply the Deficiencies in each Precinct: And the *Custos Rotulorum*, or in his Absence any two Justices as aforesaid, receiving the same, shall proportion, value and allot them to the several Persons within their Parishes or Precincts, as they in their Discretion shall Judge; provided that such Sums do not in the whole exceed the Rates within this Act aforementioned; and all Sum or Sums of Money from thence arising, shall be by the Constable or Constables, within two Months after such Allotment made, be collected, gathered and pay'd to the *Custos Rotulorum*, or two Justices of the Peace as aforesaid, who receiving the same, shall within Fourteen Days, under Penalty of one Hundred Pounds Currant Money, remit it to the Collector, Receiver-General or his Lawful Deputy, to reimburse the Monies by him so laid out; and if any Person or Persons do not within the time appointed pay the Sum or Sums aforesaid, altho' it be in time of Martial Law, the same shall be recovered by Warrant from any of her Majesty's Justices of the Peace, as also all Debts contracted for any Servant or Servants, sold within this Island, in the same manner as is provided in the Act,
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empowering the Justices of the Peace, to decide differences not exceeding Forty Shillings, any Law, Custom or Usage to the contrary in any wise notwithstanding. And the Collector or Receiver-General, or his lawful Deputy, shall be allowed at the Rate of Two and Half *per Cent.* for the receiving and paying all such Sum or Sums of Money, as he shall receive or pay by virtue of this Act, and the Charges he shall be at in the Execution of the same. And be it farther enacted by the Authority aforesaid, That all Persons whatsoever, who shall hereafter purchase or buy any Person, or cause to be bought or purchased any White Servant or Servants, to fill up their Deficiencies, shall and are hereby required to give upon Oath (which Oath the Collector or Receiver-General is hereby empowered and required to administer) an Account of the same, and in what Parish he intends to place them, upon Penalty of forfeiting Twenty Pounds for each Servant bought or purchased, to be recovered by Action of Debt in any Court of Record within this Island. And be it farther enacted, That if the Collector or Receiver-General shall at any time send to any Parish more White Servants

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than are needful for the filling up the Deficiencies, such Parish shall and is hereby obliged to receive, keep and maintain the same at the Charge of the said Parish for the space of ten Days, that the Collector or Receiver-General may assign them to some other Part, as also all Charges of Passage and Travel to and from the said Parish; and upon the refusal so to do shall forfeit the Sum of one Hundred Pounds. And be it farther enacted by the Authority aforesaid, That all *Jews*, that are or shall be hereafter Masters or Owners of Slaves within this Island, shall supply their Deficiencies by their own Nation, or by hired White Christian Men, and not by indented Christian Servants, under the Penalty of Five Hundred Pounds Currant Money of this Island. And be it farther enacted, for the greater Encouragement of all Masters of Ships or Vessels, that shall import to this Island Thirty White Men Servants as aforesaid, and due Proof upon Oath made thereof before the Naval Officer, who is hereby empowered and required to administer the same, shall for that Voyage be altogether freed and exempted from paying any Port Charges for the said Ship or Vessel wherein the said Servants are imported,
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any Law, Custom or Usage to the contrary notwithstanding. And be it farther enacted by the Authority aforesaid, That an Act of this Island, entitled, *An Act for Encouraging of the Importation of White Servants*, confirmed in Council by his late Majesty King *Charles* the Second, the Seventeenth Day of *April*, one Thousand Six Hundred Eighty and Four, and every Clause and Clauses therein contained, be and are hereby repealed, annulled, and made void to all Intents and Purposes, any Law, Custom or Usage to the contrary notwithstanding, And be it farther enacted by the Authority aforesaid, That the several Fines, Forfeitures, and Penalties beforementioned in this Act, and not declared where they shall be recovered, or how disposed of, shall be one Half to the Uses in this Act mentioned, and the other Half to the Informer, who shall sue for the same, to be recovered (if not exceeding Forty Shillings) before any Justice of the Peace; if above Forty Shillings in any Court of Record within this Island, where no Essoign, Protection or Wager of Law shall be allowed, any Law, Custom or Usage to the contrary notwithstanding.

An A C T

*For Ascertaining, Establishing and more
speedy Collecting her Majesty's Quit-
Rents.*

BE it enacted and ordained by her Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That a Patent sealed under the Great Seal of this Island, and Recorded in the Office of Enrolments establish'd in this Island, shall Evidence the Patentee or Patentees just Right and Title to all and every Parcel of Lands, House or Houses, Tenements or other Things in the said Patent granted, and be a good Bar to the Right and Title of her Majesty, her Heirs and Successors; and to the End her Majesty's Grants may not be hindered, delay'd or obstructed, the Keeper of the Seal or Chancellor for the Time being, shall and is hereby obliged the next *Tuesday* before each Grand Court, to cause all such Grants and Patents as are in Office to be sealed at *St. Jago de la Vega*, and all inferiour Officers, who
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are concerned in Drawing and Passing the same, are then and there likewise to be ready to do their Duty.

And forasmuch as all Titles of Land are derived from her Majesty and her Royal Predecessors, and the Land hath been laid out and the Patents made by her Majesty and her Predecessors Officers, in which many Errors or Mistakes may have happen'd, which according to the strict Rules of Law might make many Grants void in all or in part; Be it therefore enacted by the Authority aforesaid, That all Lands already granted under the Broad Seal of this Island, or hereafter to be granted by her Majesty, her Heirs or Successors, upon Surveys made or to be made, be for ever good to the Patentee, and to those to whom the Right of the Patentee shall come, for all Lands compriz'd within the Survey or Bounds, any Misnomer, Misbounding, or Mistaking of Quantity, or other Error notwithstanding, against her Majesty, her Heirs and Successors, or any other Person or Persons claiming under her or them for ever; and that all such Grants shall be taken as strongly against her Majesty, her Heirs and Successors, as the Grants of any other Per-

son or Persons shou'd or ought to be taken against him or them, or his or their Heirs or Assigns.

Provided nevertheless, and be it farther enacted by the Authority aforesaid, That where either her Majesty or the Patentee are aggrieved by Mistake in Quantity, a Resurvey shall be made by One Surveyor indifferently Sworn between the Queen and Patentee or who claimeth in his Right, before any of her Majesty's Justices of the Peace; upon which Resurvey a Confirmation of the former Grant shall issue under the Broad Seal of this Island, reciting the Error, and reserving for the future the same Rent mention'd in the said Grant according to the just Quantity found by such Resurvey; for which Confirmation the Chancellor shall receive 10 s. and the Clerk of the Patents 8 s. and no more, to be paid as all other Charges of the said Resurvey by the Party requiring the same; but no Retrospect shall be had to what Rent ought to have been paid, be the Quantity more or less, any Thing in this Act contained to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That if any Dispute shall

shall ever arise upon any Survey wherein the Survey or Plat given into the Patent-Office shall vary from the real run and marked Lines, in all such Disputes the Judges before whom the same shall happen shall adjudge the real run and marked Lines, which are proved before them to be run and marked, to be the Bounds of the Lands granted, any Law, Custom or Usage to the contrary notwithstanding.

And whereas there have been Uncertainties and Disputes in the Payment of her Majesty's Quit-Rents reserved in the Patents formerly granted, by Reason of the Words *Manured* and *Planted*; and whereas her Majesty hath been, and now is graciously pleased that whatsoever shall arise from the Quit-Rents shall be apply'd towards the Support of the Government and defraying the contingent Charges of this Island; in consideration whereof and to ascertain the same, be it enacted and ordained by the Authority aforesaid, That every Parcel or Parcels of Land, of what Nature and Quality soever, granted and patented before the 25th Day of June, 1671. shall for Arrears and Growing Rents pay for every Thirty Acres Annually the Sum of 1 s.

and so proportionably for every Parcel under 100 Acres, and for every 100 Acres 2 s. 6 d. and proportionably for a greater Quantity; and for all Lands of what Quantity soever, from the aforesaid Time to the 12th of *March*, 1674, or that shall hereafter be granted, shall pay One Half-Penny *per* Acre, and so proportionably for a greater Quantity, and for Foot-Land One Half-Penny *per* Foot for Two Sides of the Square added together, and so proportionably for a greater or lesser Quantity, as a certain established Quit-Rent and Acknowledgment to her Majesty, her Heirs and Successors for ever, any Law, Custom or Usage or any thing contained in the said Patents to the contrary notwithstanding,

And for the more speedy and easy Collecting of the said Quit-Rents, be it further enacted by the Authority aforesaid, That the Collector or Receiver of the Quit Rents, or his lawful Deputy, shall twice every Year, *viz.* at the Feasts of St. *Michael* the Arch-Angel and of the Annunciation of the Blessed Virgin *Mary*, keep an Office in the Town of St. *Jago de la Vega*, in the Parish of St. *Catherines*, and in the Town of *Kingston*, during the space of one Month at each Place, and then

then and there to receive the Quit-Rents from the Persons concerned; which said Office he shall attend from the Hours of Eight to Eleven in the Forenoon, and from the Hours of Two to Five in the Afternoon, and upon the receipt of her Majesty's Quit-Rents, thereof to acquit and discharge all Persons.

And whereas on the Seventh of *June* 1692. there happen'd a dreadful Earthquake, wherein the Receiver General lost the Books of Accompts, and all Papers relating to the Quit-Rents and his Office then kept at *Port-Royal*; as also the Owners and Proprietors of Lands by that Calamity, and the Ravage, Spoil and Devastation made by the Enemy soon after, many Patents, Deeds, Evidences and Receipts belonging to the Inhabitants of this Island were burnt and destroy'd, whereby the Receivers of her Majesty's Quit-Rents have since from time to time been rendered incapable of doing their Duty in Collecting the Quit-Rents, as the Act required; to prevent so great an inconvenience and hardship that has attended this Island since that time for want of Money upon all Occasions, not only to defray the contingent Charges, but also to enable the Treasury upon any Emergency

gency to supply and furnish the Country with Money, without Imposing heavy and burthensome Taxes upon the Inhabitants, especially in time of War, wherein often the Design is frustrated before Money to be raised for the purpose can be collected; and fully to enable the Collector, the Receiver-General and his Deputy to make and state a just and true Accompt of her Majesty's Quit-Rents, and to indemnify and discharge all Patentees, Owners or Proprietors of Lands chargeable with Quit-Rents, from all their Quit-Rents and Arrearages of Quit-Rents, become due and payable at or before the Feast of St. *Michael* the Arch-Angel, in the Year of our Lord 1692, and that so great a Branch of the Revenue may be duly and punctually paid and apply'd from time to time, and at all times hereafter at the usual times mentioned in the Letters Patents for paying the same, and in case of any Failure and Default of the payment of the said Quit-Rents so reserved in Letters Patents, at the usual times in the said Grants mentioned and reserved; and fully to empower and enable the Receiver-General, his Deputy and other Officers, to proceed and prosecute such Offenders as the Laws in such Cases do direct,

direct, be it farther enacted by the Lieutenant-Governour, Council, and Assembly, and it is hereby enacted and ordained by the Authority of the same, That all Sum and Sums of Money that were due for Quit-Rents in this Island on or before the Feast of St. *Michael* the Arch-Angel, in the Year of our Lord 1692, from any Person or Persons whatsoever, be and are hereby acquitted, released and discharged, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That all Persons residing in this Island, by themselves, Agents, Factors, Attorneys or other Persons, shall repair to the Town of St. *Jago de la Vega* or *Kingston*, at or before the first Day of *February*, in this present Year 1703, and then and there Accompt with the Receiver-General, or his Deputy or Deputies, for all Sum or Sums become due and payable for their Quit-Rents until the Feast of St. *Michael* the Arch-Angel, in this present Year 1703, and pay or give security to pay the same at or before the first Day of *May* next, in the Year 1704, after the making up such Accompt; and the Receiver-General or his Deputy shall, on demand, give a Certificate unto such
Person

Person or Persons, that he, she or they have so accompted, paid, or given in security to pay at or before the said first Day of *May* next, all such Sum and Sums of Money due from him, her or them, for their and each of their Quit-Rents, and Arrearages of Quit-Rents, to the Feast of St. *Michael* the Arch-Angel in this present Year 1703, as aforesaid; for which the Receiver-General or his Deputy shall take Two Shillings and Sixpence as a Fee for the same, and no more, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted and ordained by the Authority aforesaid, That all Persons that do not inhabit and reside within this Island, and are possessed and hold any Land or Lands within the same, and have no Effects whereon her Majesty may distrain for the Quit-Rents due for the same in this Island, every such Person or Persons are hereby required and obliged, by themselves, Agent or Attorney, within Eighteen Months after the first Day of *February*, in the Year of our Lord 1703, to Accompt with the Receiver-General for the time being, or his Deputy, and pay all such Sum or Sums of Money, as shall be found due to her Majesty for Quit-Rents

Rents since the Feast of St *Michael* the Arch-Angel, in the Year 1692, under the Penalty of forfeiting the said Land or Lands ; and in Case at the Expiration of the said Term of Eighteen Months after the said first Day of *February*, in this present Year 1703, the said Owner or Possessor do not by himself, Agent, Attorney or other Person, Accompt and pay as by this Act is required, that then the Provost-Marshal General of this Island, or his Deputy, is hereby authorized and required to make Proclamation of the same, in the Supream Court of Judicature held at the Town of St. *Jago de la Vega*, the two next Courts after such Failure and Forfeiture, and Judgment shall be affirmed to her Majesty, her Heirs and Successors, and the Provost-Marshal or his Deputy is hereby required and empowered to seize the same accordingly : and then and from thenceforth the said Land or Lands as aforesaid, shall be vested in our Sovereign Lady the Queen, her Heirs and Successors, and shall be a perpetual Bar against any former Patent, Grant or Claim whatsoever ; and that then it shall and may be lawful for the Governour or Commander in Chief of this Island for the time being, by Letters Patents under the

the Broad Seal of this Island, to grant the said forfeited Land or Lands to any Person or Persons whatsoever, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That all and every Owner or Proprietor of Land within this Island shall and are hereby impowered to resign and surrender anywhole Tract or Parcel of Land or Lands, or Grants they now hold seized in Fee Simple in their own proper Right, into the Hands of her Majesty, or her Heirs or Successors; which Surrender shall be made by delivery up into the Hands of the Clerk of the *Chancery* for the time being all such Patents, Grants and Evidences, whereby they have held the same, or by certifying the Records thereof; and the Clerk of the *Chancery* is hereby required and empowered to accept and receive the same, and upon receipt thereof to give a Certificate under his Hand unto the Person or Persons Surrendering as aforesaid; in which shall be expressed the Date of the Grant, the Quantity of the Land or Lands, the Parish it lies in, and the Bounds of the same; which being duly acknowledged by the Clerk of the *Chancery* before
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the Governour or Commander in Chief for the time being, or before some one of the Judges of the Supream Court of Judicature of this Island, and Record thereof made in the Secretary's Office of Enrolments, shall be deemed and taken as a Total Resignation and Surrender of such Grant or Patent, and the Person or Persons Surrendering in manner aforesaid, shall be acquitted and discharged from all Quit-Rents reserved for the same, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That after such Surrender of any whole Parcel or Tract of Land or Lands as aforesaid, that it shall and may be lawful for the Governour or Commander in Chief for the time being, by Letters Patents under the Broad Seal of this Island, to grant the same to any Person or Persons whatsoever ; and that the Clerk of the *Chancery* have and receive as a Fee for his Certificate and Acknowledgment the Sum of Five Shillings for every Parcel of Land so Resigned and Surrendered, and the Secretary the Sum of Five Shillings for the Recording the same ; provided always, that such Land or Lands so to be Surrendered are at the time of
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the Surrender and Resignation free and clear of and from all former and other Gifts, Grants, Mortgages, Intails and Incumbrances whatsoever.

And be it farther enacted by the Authority aforesaid, That all and every Person or Persons, Owners or Proprietors of Land within this Island, that shall not by themselves, Factor, Attorney or other Person, repair to the Receiver-General's Office for that Purpose, to be duly and constantly kept at the Towns of *St. Jago de la Vega* and *Kingston*, at the usual Office Hours, from the time of the passing of this Act until the first Day of *May* next in the Year 1704, and then and there duly Accompt with the Collector or Receiver-General or his Deputy or Deputies, and pay or give Security to pay at or before the said first Day of *May* in the Year 1704, all his, her or their Quit-Rents and Arrearages of Quit-Rents at that time due, for all and every the Lands they hold and possess, from the said Feast of *St. Michael* the Arch-Angel in the Year of our Lord 1692, all and every Person so refusing or neglecting the same, shall be wholly excluded and barred from any Benefit and Advantage by this Act; and the Collector or Receiver-General or his Deputy

Deputy shall and are hereby required to make enquiry after all such Persons so refusing or neglecting to Accompt as aforesaid, and inform her Majesty's Attorney-General, that due process may be issued out against such Offender or Offenders as the Law in such Cases requires, for the recovery of all her Majesty's Quit-Rents and Arrearages of Quit-Rents due from the date of each Patent.

And be it farther enacted by the Authority aforesaid, That all and every Trustee or Guardian to any Owner or Proprietor of Land within this Island, being an Infant, shall and are hereby required at or before the said first Day of *May* in the Year 1704, to repair to the Receiver-General's Office, and there Accompt and pay the Quit-Rents due for every such Infant's Land under his her or their Charge, on the Penalty of one Hundred Pounds Currant Money, unless the said Trustee or Guardian shall from time to time make Oath, (which Oath the said Collector, Receiver-General or Deputy, have Power, and are hereby required to administer) that he hath not Effects in his Hands enough to pay the same; which shall be sufficient for that time to excuse the said Guardian

or Trustee, and hinder and stop any farther process until the said Infant or Infants come to Age themselves.

And be it farther enacted by the Authority aforesaid, That for the more ready collecting her Majesty's Quit-Rents from henceforth becoming due and payable, all Owners and Proprietors of Land within this Island, that shall hereafter alien, sell or convey any part or parcel of Land to any Person whatsoever, the said Buyer and Purchaser of such Land shall and is hereby required within the space, of three Months after any such Alienation Sale or Conveyance, to give an Account of the same to the Receiver-General or his Deputy in writing, expressing his own Name, the Name of the Parish, Quantity of Land, and the Person of whom he purchased the same, and the Bounds thereof respectively, to the intent the Receiver-General may know upon whom the Quit-Rents from that time become due and payable, under the Penalty that such Purchaser forfeit the Sum of Ten Pounds for each neglect; and the Collector, Receiver-General or Deputy shall keep a Book for that Purpose, and enter the same accordingly, for which he shall receive as a Fee the Sum of Five Shillings and no more.

And

And be it farther enacted by the Authority aforesaid, That all Bills of Sale and Conveyances whatsoever heretofore made and recorded, or such as shall be made hereafter by any Persons out of this Island, either by Husband and Wife or by any single Person, who by Law may make any such Sale or Conveyance, and acknowledged before the Lord Mayor of *London*, or any Lord Mayor or Mayor of any other City within the Kingdoms of *England* and *Ireland*, or before the Governour or Governours of any of her Majesty's Islands or Colonies for the time being, and duly recorded in this Island, shall be good and valid in Law against all Persons whatsoever, that can or may claim any manner of Estate in the Lands, Tenements or Premises so conveyed or to be conveyed, as fully to all Intents and Purposes as any Lands or Tenements in *England* might be passed by Fine and Recovery duly levied and executed in any of her Majesty's Courts in *Westminster*.

And be it farther enacted by the Authority aforesaid, That a Duplicate of all her Majesty's Books of Quit-Rents, Impost, Fines and Forfeitures, and other Branches of her Majesty's Revenue, shall

be kept in the Town of St. *Jago de la Vega*, to prevent any future Accident, and for the better security thereof, for which the Receiver-General or his Deputy shall take such Fee only as is allowed him in this Act and the Act of Revenue, and no more, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That the Receiver-General and his Deputy and Deputies, her Majesty's Attorney-General; the Provost-Marshal General and his Deputy, the Clerk of the *Chancery*, and all other Officers, and each of them respectively for the time being, that shall neglect his or their Duty in the execution of the Trust and Office hereby required and reposed in each of them respectively, according to the true Intent and Meaning of this Act, each Person so offending shall forfeit the Sum of Five Hundred Pounds Currant Money of this Island for every such Offence; all which Fines and Forfeitures in this Act mentioned, shall be one half to our Sovereign Lady the Queen, her Heirs and Successors, for and towards the support of the Government of this Island, and the contingent Charges thereof, and the other half to the Informer, or him or them

them that shall sue for the same, in the Supream Court of Judicature, where no Essoign, Protection or Wager of Law shall be allowed, or *Non vult ulterius prosequi* shall be entred, any Law, Custom or Usage to the contrary notwithstanding.

An A C T

To prohibit the keeping of any Quantities of Gun-powder on Port-Royal; and for the better regulating and security of the said Town; and to enable the Freeholders to choose Church-Wardens, Vestry-Men and other parochial Officers, altho' the time for choosing thereof be elapsed already.

W Hereas it has been found by fatal Experience, that permitting of Gun-Powder in great Quantities upon *Port-Royal*, and the covering the Houses with Shingles brought from the Northward, was in great Measure the Occa-

sion of the destruction of the said Place by the late dreadful Fire; For the prevention whereof for the future, be it enacted by your Majesty's Lieutenant-Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That from and after the first Day of *July*, 1704. no Person or Persons shall presume to keep any Quantity or Quantities of Gun-Powder, exceeding Four Pounds for each White Man, in each respective Family, except Retailers of Gun-Powder, who shall be permitted to keep the Quantity of one Barrel and no more at one time; which said Powder shall be kept in the uppermost Room in the House of such Retailer or Retailers; and in Case there be no upper Room, then in some Loft or other Place near the Roof of such House, to be for that Purpose erected. And if any Person or Persons shall keep in any House or Houses any greater Quantity of Gun-Powder than what is prescribed and allotted, every Person and Persons so offending contrary to the true Intent and Meaning hereof, shall for every such Offence forfeit not only the said Powder, but the Sum of Ten Pounds, to be recovered by Bill, Plaint or Information, in
any

any Court of Record within this Island ; one Moyety whereof shall be paid to the Church-Wardens for the time being of the said Parish, for the Use of the Poor thereof, and the other Moyety to the Informer, or any other Person that will sue for the same, wherein no Essoign, Protection or Wager of Law shall be allowed, or *Non vult ulterius prosequi* enter'd, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

And whereas the Shingling of Houses with Shingles brought from the Northward, is found by Experience to be very dangerous, be it farther enacted by the Authority aforesaid, That no Person or Persons whatsoever, from and after the said first Day of July, shall cover any House, Shed, Out-House or any other Buildings with any Shingles brought from the Northward, or with any other Shingles, save what are made in this Island, under the Penalty of one Hundred Pounds Currant Money of this Island, besides the Forfeiture thereof; one Moyety whereof shall be paid to the Church-Wardens for the time being of the said Parish, for the Use of the Poor thereof, as aforesaid, and the other Moyety to the Informer,

or any other Persons that shall sue for the same, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And whereas for the security of the said Town, the Church-Wardens and Vestry for the time being may find it necessary, that all Powder, Pitch, Tar, Rozin, Brimstone, Turpentine, Cordage, and all other combustible Matters, together with all Lumber, and Persons Trading therein, or making Use of Fire, should be removed thereout and kept at the Tan-House, or some other convenient Place adjoining thereunto; to the Intent therefore that all and every such Person and Persons may have a convenient Place allotted for the carrying on of their respective Trades and Employments, be it enacted by the Authority aforesaid, That it shall and may be lawful for the Justices and Vestry for the time being to demise, let and set to all and every Person and Persons trading in all or any such Commodities, all and every such Quantity and Quantities of Ground at or near the Tan-House, or any other Place adjacent thereunto within the said Parish, as the Church-Wardens and Vestry shall judge necessary and convenient, at and under such yearly

yearly and other Rents, Reservations, Limitations, Restrictions, and other Covenants, and for any Number of Years not exceeding Twenty One, as the said Church Wardens and Vestry for the time being, or a Majority thereof, and such Lessee or Lessees shall agree upon.

And it is hereby enacted and declared, That all and every such Lease or Leases, Demise and Demises, to be made and executed by the said Justices and Vestry, or the major Part of them, pursuant to the true Intent and Meaning hereof, shall be good and valid in Law to all Intents and Purposes, to convey the Lands and Tenements to be mentioned and contained in such Lease or Leases, for the time and term to be therein limited, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And for the farther security and regulation of the said Town, and preventing of Fire therein, be it farther enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Justices and Vestry, when and as often as they meet, to make, constitute and ordain such Rules, Orders and Ordinances, as they or a Majority of them as aforesaid shall judge necessary and convenient;

venient; and that all and every such Rules, Orders and Ordinances so to be made and ordained by the said Justices and Vestry, or the major Part of them, as aforesaid, shall oblige and bind all and every the Inhabitants within the said Parish; and in Case any Inhabitant or Inhabitants within the said Parish shall refuse to obey or comply with such Rule, Order or Ordinance, that then all and every Person or Persons so offending, neglecting, disobeying or refusing to comply therewith, shall for every such Offence forfeit the Sum of Forty Shillings, to be recovered and levied by Warrant under the Hand and Seal of any Justice of the Peace of the said Parish, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And whereas the time for choosing Church-Wardens and Vestry-Men and other parochial Officers is by the Constitution and a Law of this Island elapsed, be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Justices or any two of them, within Ten Days after the passing of this Act, to issue out a Warrant or Warrants to the Provost-Marshal, or his lawful Deputy, to summon the Freeholders

holders of the said Parish, to be and appear at such a certain Place, and on such certain Day and Time as the said Justices shall appoint, then and there to make choice of Ten Vestry-Men, Two Church-Wardens, Constables and other parochial Officers, to serve for the remaining Part of this present Year 1704, as effectually, to all Intents and Purposes, as if they had been chosen within the time prescribed, according to the true Intent and Meaning of an Act, entitled, *An Act for the Maintainance of Ministers and the Poor, and erecting and repairing of Churches*, any thing herein or in any former Law to the contrary in any wise notwithstanding.

An A C T

For making a new Road from St. Thomas in the East to St Andrews.

WHereas the High Road from St. Thomas and St. Davids lyeth so near the Sea-Side, that by the landing of an Enemy the necessary Communication

cation between the Parishes of *St. Andrews*, *St. Thomas* and *St. Davids* may be obstructed, and that it is therefore necessary that a new Road should be made higher up in the Country, be it therefore enacted by her Majesty's Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be lawful to and for the Justices of the Parish of *St. Thomas*, to issue out their Warrant to summon a Jury to view and lay out a Path from *Rusk Savana*, on the North Side of the Plantations of Lieutenant Colonel *William Harris* over the Hills, to the Plantation of Captain *John Cosley*, until they meet with the High Road that leads to *Yellow Bay*; and that they clear and maintain the same at their own Cost and Charge; and the Justices of the Parish of *St. Davids* do summon a Jury to lay out a Path through the Land late of Col. *William Reives* and *Oathil* Plantation, and from thence to Capt. *Cosley's* Pen, call'd *Cambridge*, and from thence over the Hills to *Bull's Bay* River; and that the Justices of *Port-Royal* and *St. Andrews*, or some of them, do join and by Warrant summon a Jury to lay out a Path through the Parish Land of *Port-Royal* and *St. Andrews*,
the

the best and most convenient Way, to the Plantation of *Elizabeth Humphries* Widow, beginning at *Bull Bay* River, where the Path from the Parish of *St. Davids* ends; and that the Plantations in the Parish of *Port-Royal* do join their Hands with the Inhabitants of *St. Andrews*, for the making and clearing of such Roads. And it is farther enacted by the Authority aforesaid, That the Surveyor of each and every Parish abovementioned shall go with the Jury when they lay out the Roads, and when they are laid out, that the several Surveyors proceed forthwith to do their Duties, to open and clear the several Roads in this Act mentioned, and that it be done in the same manner as by an Act of this Island, intituled, *An Act for the High Ways*. And it is hereby enacted by the Authority aforesaid, That if the Justices and Surveyors of each and every Parish in this Act mentioned shall neglect their several Duties, they shall respectively forfeit the Sum of Fifty Pounds Currant Money, where any such neglect shall appear; one half of all such Fines and Forfeitures shall be to him or them that shall sue for the same, and the other Moyety for the use of the new Roads
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in such Parishes where the Neglect shall happen; and that the Justices of the abovenamed Parishes shall proceed to the laying out such Roads in their several Parishes, at or upon the first of *November*, in the Year of our Lord 1705; that all Fines under Forty Shillings shall be recovered before any Justices of the Peace, and if above Forty Shillings in any Court of Record within this Island, where no *Essoign*, *Protection*, *Wager of Law* or *Non vult ulterius prosequi* shall be enter'd, any Law, Custom or Usage to the contrary in any wise notwithstanding.

An A C T

For the making and keeping clear a publick Road from Clarendon to St. Elizabeths over one Eye Savana.

WHereas the present Highway from *St. Jago de la Vega* into the Parishes of *St. Elizabeth*, and *Westmorland*, in that Part from *Swift River* over *long Bay* and

and the *Devil's Race*, is very inconvenient and dangerous by reason of the Quick Sands along the Sea Shoar, and the Narrowness and Difficulty of the Pass over the *Devil's Race*; and whereas by several credible Persons that have travelled in the Woods and Mountains between *Porus Savana* in the Parish of *Clarendon* and *Forster's Plantation* in the Parish of *St. Elizabeths*, it hath been found that a more commodious and shorter Way may be cut through the Woods from *Porus Savana* afore said by the *Cisterus* to *Martins*, and by *one Eye Mountain* to *Forster's Plantation* in the Parish of *St. Elizabeths* afore said; and it being requisite as well for her Majesty's Service in conducting speedy Succours to each Place, as for the necessary Use of her Majesty's Liege People, that a publick Road be laid out from the said Parishes of *St. Elizabeths* and *Westmorland* into the Parish of *Clarendon* afore said, be it therefore enacted by her Majesty's Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That a new Highway or Path shall be with all convenient speed run out and made, leading from the Cross to *Burnt Savana*, and through *St. Jago Savana*
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by Mr. *John Sutton's Penn*, and so over *St. Jago Savana* to *Porus Savana* in the Parish of *Clarendon*, according to the most direct and convenient course it can be laid out, and from *Porus Savana* aforesaid by *Martins*, and from *Martins* to the *Cisterus*, and from the *Cisterus* by *one Eye Mountain* aforesaid, and from thence the most direct and best Way leading to *Forster's Plantations* in *St. Elizabeths* aforesaid. And be it farther enacted by the Authority aforesaid, That the Commissioners for the respective Parishes in this Act to be hereafter nominated and appointed shall and may, and they are hereby impowered and required to administer an Oath to the Surveyor of the Highways, or Way-Wardens of each respective Parish, forthwith upon the return of the Surveyors, who are to run and lay out the said Road or Highway to the Commissioners in this Act to be hereafter named, which said Surveyors are to be appointed by the said Commissioners. And after such Return to be made and delivered by the said Surveyors to the said Commissioners, the said Commissioners are to deliver the same to the said Way-Wardens or Surveyors of the Highways, who shall thereupon forth-

forthwith proceed to the Execution and Discharge of the several respective Duties as is required in and by the Act, intituled, *An Act for the Highways*, as in all other Cases of publick Roads and Highways; which said Highway shall be cut Sixty Foot Broad according to an Act of this Island, intituled, *An Act for the Highways*, and well cleared by the Way-Wardens of the Parish of *Clarendon* aforesaid, by the Labour of the Negroes belonging to the said Parish, by them to be warn'd for that Purpose, so far Westwardly as the Bounds of the said Parish shall be found to extend; and the remaining Part of the Way to *Forster's* Plantation as aforesaid shall be cut and cleared in like manner by the Way-Wardens of *St. Elizabeths*; and the said Highways being so cut and cleared, shall for ever hereafter be deemed and taken as a publick Road, and shall as often as Occasion requires be maintained, repaired and cleared, and kept in good Order by the Way-Wardens of the said Parish of *Clarendon* from the Cross aforesaid, to the Westward Bounds of the said Parish of *Clarendon*, and by the Way-Wardens of the Parish of *St. Elizabeths*, from thence to *Forster's* Plantation aforesaid, and thence by or through *Dickenson's*

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Plantation to the next Highway leading to the Parish of *Westmorland* through the Parish of *St. Elizabeths* aforesaid. And to prevent all disputes which may arise about the Bounds of the said Parishes of *St. Elizabeths* and *Clarendon*, or otherwise however touching the Execution and Performance of this Law, be it farther enacted and ordained by the Authority aforesaid, That *Jonathan Gale, John Cambel, Esq; Jonathan Dickenson, John Forster* and *John Hodges*, Gentlemen, of the said Parish of *St. Elizabeth*; *Peter Beckford, Edward Pennant, Edward Fearon, Thomas Roden* and *Thomas Cargil, Esqs;* of the Parish of *Clarendon*, be and are hereby appointed Commissioners to inspect and take Care of the due Execution of this Act; which said Commissioners, or any three of them, shall and are hereby required to meet at the Cross in *Clarendon* the first *Thursday* in *November* next, in the Year of our Lord 1705, and there to choose and appoint one lawful and sworn Surveyor for the Parish of *St. Elizabeths* and another for the Parish of *Clarendon*, who shall immediately proceed to the running out of such a Path as by this Act is appointed to be made a Highway, with the most conveniency to the publick, and the least prejudice or damage

mage to any particular Person, from the Cross as aforesaid to *Burnt Savana*; and through *St. Jago Savana* by the said *John Sutton's Penn* as aforesaid, to *Porus Savana* in *Clarendon Parish*, to *Forster's Plantation* in *St. Elizabeths* aforesaid; and shall run out, fix and ascertain the Bounds of the said two Parishes of *St. Elizabeths* and *Clarendon*, according as the same is appointed by a former Act of this Country for the Division of the said two Parishes; and the same so ascertained shall mark out with Stakes or other notable Marks exactly in the Line, to the end a Post of good and durable Timber may be fix'd, and for ever kept and maintained therein when the said Highway comes to be cleared; on which said Post so to be fix'd shall be cut or carv'd in good legible Characters, on the Westerly Side thereof, *St. Elizabeth*, and on the Easterly Side thereof *Clarendon*; and the same shall be always known, reputed and taken as the Boundary of the said two Parishes, and to which these said two Parishes respectively are hereby oblig'd to clear, and for ever maintain; and in Case any of the Surveyors or Surveyor so to be chosen respectively, shall neglect or refuse immediately to proceed to the running

out the intended Path and Line as aforesaid, that then and in such Case they shall respectively forfeit the Sum of Fifty Pounds; and it shall and may be lawful for the said Commissioners, or any three of them, to appoint two such other lawful sworn Surveyors as they shall think fit, who are hereby impowered to act and do in the Premises as by this Act is requir'd and intended, instead of the other Surveyors intended to be chosen respectively by the Commissioners for the said two respective Parishes of *Clarendon* and *St. Elizabeths* aforesaid, under the like Penalty of Fifty Pounds; and the said Surveyors so to be chosen and appointed shall, as soon as they have run out the said Path and Line, make return of their doings therein to the said Commissioners, or any three of them, who shall cause the same to be recorded by the Clerk of the Peace of each of the said Precincts of *Clarendon* and *St. Elizabeths*; and that the said Surveyors shall be paid by the Church-Wardens of each Parish, for the Work by them done on Account of each Parish, as shall be adjudg'd by the Commissioners aforesaid, or the Majority of them, to be paid out of the Parish-Stock respectively. And
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it is hereby farther enacted by the Authority aforeaid, That the said Commissioners having received the Return of the Surveyors as aforeaid, shall cause two Copies of the same to be fairly drawn out, one whereof they shall forthwith send to the Way-Wardens of the Parish of *Clarendon*, and the other to the Way-Wardens of *St. Elizabeths*, with their strict Orders to each and every of them in writing, that they respectively, as before in this Act is appointed, immediately proceed to the cutting down and clearing the said Highway, so as the same may be compleated and finish'd within Eighteen Months after the passing the said Act; and for the better doing and effecting thereof, the said Way-Wardens of the said several Parishes, and every of them respectively, are hereby authorized to issue out their Warrants to the Constables and Tything-Men, to warn the Inhabitants of the said Parishes to furnish such Numbers of able Negroes or Slaves, together with such a Number of White Men Drivers to oversee them, as shall be appointed by the Justices and Vestry of each respective Parish, together with such Tools, Provisions, and other Necessaries, as shall be thought by them neces-

fary for carrying on the said Work, and finishing the same within the time hereby limited and appointed as aforesaid; and whosoever shall fail to send in his or her proportion of Workers, with such Tools as shall be convenient, shall for every Head pay Three Shillings *per* Day upon Conviction thereof, to be recover'd before any Justice of the Peace by the Surveyors respectively, any thing in this or any other Act to the contrary thereof notwithstanding. And if the said Way-Wardens, or any of them, shall refuse to do, or neglect his or their Duty in cutting or clearing the said Highway to the extent of their respective Bounds as hereby is appointed, he or they so offending shall respectively forfeit the Sum of Fifty Pounds Currant Money of this Island; and in Case the said intended Highway shall be neglected and not maintain'd in good repair by succeeding Way-Wardens, he or they that shall so offend therein shall respectively lie under the Pains and Penalties provided in an Act of this Island, intituled, *An Act for the Highways*; and if any Commissioner, Justice or Surveyor by this Act appointed, shall neglect his or their Duty touching the Premises or any Part thereof, he
or

or they shall respectively forfeit the Sum of Fifty Pounds; and if any Vestry-Man, Constable, or Tything-Man shall neglect his or their Duty, they shall respectively forfeit Twenty Pounds; all which said Forfeitures shall be one half to the Informer, or to him or them that shall sue for the same, the other half to the Church-Wardens of each of the respective Parishes, to the Use of the said Highways, and all other Forfeitures not exceeding Forty Shillings shall be recovered by the Church-Wardens of the said Parishes respectively by Action of Debt before any Justice of the Peace, and if above Forty Shillings in any Court of Record of this Island, wherein no Essoign, Protection or Wager of Law shall be allowed, or *Non vult ulterius prosequi* be enter'd; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.



An A C T

*For establishing Courts at Kingston,
and exempting Packet-Boats from
the Duty of Gun-Powder.*

WHereas many Gentlemen, Merchants, and others have lately settled, and do now Reside and Trade at *Kingston*; and whereas the settling of Quarter Sessions and Courts of Common Pleas may conduce very much to the Use and Advantage of the Inhabitants, and to the Encouragement of Trade there, be it therefore enacted and ordain'd by her Majesty's Governour, the Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That for the ease of the Merchants and trading People of the said Town of *Kingston*, that there be erected, established and held in the said Town a Quarter-Sessions for the Conservation of the Peace, and a Court of a Common Pleas, with the same Power and Authority to all Intents that is or hath been held or exercised at *Port-Royal*; which said Court shall be held the first time

time the first *Wednesday* in *September*, in this present Year 1705, and afterwards every two Months; and the Sessions every three Months, the first Sessions on the Third *Tuesday* in *August*, and so every three Months. And whereas a certain enacting Clause, for the preventing of the Use of Shingles brought from the *Norward*, which said Clause is contain'd in an Act, intitled, *An Act to prohibit the keeping of any Quantity of Gun-Powder on Port-Royal; and for the better security of the said Town; and to enable Freeholders to choose Church-Wardens, Vestry-Men, and other parochial Officers, although the time for choosing thereof be elaps'd already*, hath been found inconvenient to the Inhabitants of *Port-Royal* aforesaid, be it therefore enacted by the Authority aforesaid, That the said Clause and all and every the Matters and Things therein contain'd, shall be and are hereby repeal'd, annul'd and made void to all Intents, Constructions and Purposes, any Law, Custom or Usage to the contrary in any wise notwithstanding.

And whereas her Majesty hath been graciously pleas'd to appoint Packet-Boats to sail frequently from her Majesty's Kingdom of *England* to her Majesty's
Plans

Plantations and Colonies in the *West-Indies*, whereby a constant Correspondence is held, to the great Advantage of this Island; and whereas such Packet-Boats, as well as all other Vessels, are oblig'd to pay a Duty of Gun-Powder to the Receiver-General, which is a heavy Imposition on such Packet-Boats, be it therefore enacted by the Authority aforesaid, That the Packet-Boats at present here, and all other such Packet-Boats as shall hereafter arrive, shall be and are hereby exempted from the payment of all such Duty of Gun-Powder, any Law, Custom or Usage to the contrary notwithstanding.

An A C T

For the Encouragement of good and able Ministers to come to this Island.

WHereas there is an Act of this Island, intitl'd, *An Act for the Maintenance of Ministers and the Poor, and Erecting and Repairing Churches*, in which there

there is not a sufficient Provision made to encourage learned and pious Men to come and to reside in the several Parishes of this Island ; for the better Encouragement therefore of good and orthodox Divines, duly qualify'd as the said Law directs, that now reside in, or hereafter shall come to this Island, for the Promotion of Piety, Religion and Virtue,

Be it enacted by the Governour, Council and Assembly of this Island of *Jamaica*, and it is hereby enacted and ordained by the Authority of the same, That the Ministers of each respective Parish hereafter mention'd shall receive of the Church-Warden or Church-Wardens of each respective Parish such Sums of Money as is hereafter directed, every Six Months, by equal Portions, to be rais'd and collected as in and by the said Act, intitl'd, *An Act for the Maintenance of the Ministers and Poor, and Erecting and Repairing Churches*, is directed, viz. to the Minister of the Parish of *St. Katherines* shall be allow'd, rais'd, collected and paid the Sum of One Hundred and Fifty Pounds *per Ann.* Current Money of this Island ; provided nevertheless, if the Justices and Vestry shall think fit, for the Encouragement of an
able

able Divine, it shall and may be lawful for them to add One Hundred Pounds more to his Salary, so that the whole Sum exceed not Two Hundred and Fifty Pounds *per Ann.* and to the Ministers of the Parishes of *St. Thomas in the Vale, St. Dorothy, Kingston, Vere and Clarendon*, shall be allow'd each One Hundred and Fifty Pounds *per Ann.* provided nevertheless, if the Justices and Vestry shall think fit, to add Fifty Pounds more to each of their Salary, so that the Whole exceed not Two Hundred Pounds *per Ann.* and to the Ministers of the Parishes of *St. Andrews, St. Johns, St. Thomas to Windward, St. Davids, St. Georges, St. Marys, St. Anns, St. James, St. Elizabeths and Westmorland*, shall be allow'd each One Hundred Pounds *per Ann.* provided nevertheless, if the Justices and Vestry shall think fit, it shall and may be lawful for them to add Fifty Pounds *per Ann.* more to each of their Salaries, so that the Whole exceed not One Hundred and Fifty Pounds *per Ann.*

And whereas the Inhabitants of several Parishes of this Island, by certain Instruments in Writing under their Hands and Seals, did oblige themselves to pay to the Ministers of their Parish certain

tain Sums of Money as an Addition to their Salary more than in and by the said Act, intitl'd, *An Act for the Maintenance of the Ministers and Poor, and Erecting and Repairing Churches*, is allow'd and directed, be it therefore enacted and ordained by the Authority aforesaid, That all such Persons, who have oblig'd themselves to the Payment of any Sums of Money to the Ministers of any Parish for Officiating as Minister, otherwise than is agreeable to this Act, are hereby freed and acquitted from any such Obligation; and that no other Salary shall on any Pretence whatsoever be rais'd, assess'd, collected and paid by any Parish in this Island by the Justices and Vestry-Men, or the Justices where no Vestry is, upon the Inhabitants of the same, than what is in and by this Act before prescribed and allow'd, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That when any Minister shall for the future happen to be presented to any Parish within this Island, after the Assessments for that Year shall be laid, that it shall and may be lawful for the Justices and Vestry of such Parish, and the Justices and Vestry of
such

such Parish are hereby requir'd and in-joyn'd, within Twenty Days after due Notice of such Presentation, to meet at the Parish-Church, and lay such farther Assessment for the Payment of such Salary as this Act requires.

And whereas the Parish of *Port-Royal* has suffer'd very much by the dreadful Earthquake, and since by Fire, being reduc'd to a far lower Estate than when the said beforemention'd Act was made, that the Inhabitants are not capable to raise the Salary as in the said Act is directed, be it therefore enacted by the Authority aforesaid, That the Justices and Vestry shall lay a Tax of One Hundred Pounds *per Ann.* provided that the Justices and Vestry have Power to raise the Sum of Fifty Pounds more if they think fit, for the Maintenance of their Minister, who shall officiate there; and it shall and may be lawful for the said Justices and Vestry, and they are hereby requir'd, to raise a farther Sum of One Hundred Pounds *per Ann.* to be paid by the Church-Wardens of the same in equal Portions to *Philip Bennet*, as Rector of the said Parish, during his Life and Residence in this Island, notwithstanding his Disability by Age and Sickness to officiate there. And

And be it farther enacted by the Authority aforesaid, That no Person whatsoever, though duly qualify'd, and obtaining the ordinary presentation for any Parish within this Island, shall ask, demand or take any Sum or Sums of Money for any farther or longer time than he shall actually officiate as Minister of the said Parish, Sickness only excepted, any Law, Custom or Usage to the contrary notwithstanding.

An A C T

For the farther Encouragement of Parties, and more speedy Reduction of Rebellious and Runaway Slaves.

WHereas in and by an Act made in the first Year of her Majesty's Reign, intituled, *An Act for the more effectual raising of Parties to pursue and destroy Rebellious and Runaway Slaves*, it was amongst other things enacted and ordained, That it should and might be lawful to and for her Majesty's Lieutenant

nant-Governour and Commander in Chief or to and for the Commander in Chief for the time being, to raise and appoint four standing Parties, which said Parties were to be kept in the Windward Parishes of this Island, for and towards the reducing and suppressing the said Rebellious Slaves, each Party whereof was to consist of a Captain, Fourteen White Men and Five arm'd Slaves, such as the Captain or Captains should think fit to inlist; and whereas by the said Act each Captain was to have Six Pounds *per* Month, each Serjeant Four Pounds *per* Month, and every private Soldier Three Pounds *per* Month, and every Slave Fifty Shillings *per* Month, whereof Ten Shillings *per* Month was to be for the sole and only use of such Slaves belonging to any of the said Parties; and whereas it has been found by Experience that the said Number of Parties has not been sufficient to carry on the said Work, nor encouragement given sufficient to engage Persons in the said undertaking,

Be it therefore enacted by the Governour, Council and Assembly of this your Majesty's Island of *Jamaica*, and it is hereby enacted and ordained by the Authority of the same, That it shall and may

may be lawful for your Majesty's present Governour, or the Governour or Commander in Chief for the Time being, to raise Four other Parties over and above the said Four Parties appointed by the said recited Act; which said Parties when so rais'd shall immediately proceed to attack, pursue and destroy every such rebellious Slave and Slaves as they shall be inform'd or be in Pursuit of, according to the Directions, Intent and Meaning of the said recited Act.

And to encourage all Captains or Commanders, and the several and respective Soldiers under their Command, chearfully to engage in so necessary a Work, be it farther enacted by the Authority aforesaid, That every Captain or Commander shall have and receive, as an additional Pay and Encouragement over and above what is given in and by the said recited Act, the farther Sum of Four Pounds *per* Month, each Serjeant Forty Shillings *per* Month, each private Soldier One Pound *per* Month, and the Master of each Slave Ten Shillings *per* Month, and each Free *Mulatto*, *Indian* or *Negro* shall have in all Four Pounds *per* Month.

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And be it enacted by the Authority aforesaid, That the said Four Parties intended to be raised, or any of them, as soon as they shall be raised, shall immediately be sent into some or one of the Four Leeward Parishes of this Island, *viz.* St. Anns, St. James, St. Elizabeths and Westmoreland, or any one of them.

And whereas it has been found difficult for the Captains or Commanders of Parties to raise Men, be it farther enacted by the Authority aforesaid, That besides the Directions contained in the said recited Act for raising of Men, it shall and may be lawful for the Colonel or Commander in Chief of the several and respective Regiments of this Island, to impress and send for this Service so many Men as the Governour for the time being from time to time shall appoint, out of their respective Regiments, not exceeding Six Months at a time, and not exceeding every Sixth Man, respect being always had to Persons exempted by the said recited Act; and the said Colonels shall and are hereby farther impow'ed to impress for the said Service all free *Mulattoes*, free Negroes and *Indians*.

And the better to strengthen the said Parties formerly intended to be raised by the

the said recited Act, and of the Four other Parties now intended to be raised, be it enacted by the Authority aforesaid, That each Party shall consist of a Captain or Commander, a Serjeant, Fifteen White Men, Five arm'd *Mulattoes*, *Indians* or Negroes, and six Baggage Slaves; and that there shall be allowed to the Four Windward Parties a Surgeon, such as shall be approved and allowed of by the Governour or Commander in Chief for the time being, and one other Surgeon for the Leeward Parties, who shall each have besides Medicines Eight Pounds *per* Month; which said Surgeons shall also be Commissaries, and are hereby impowered and required to take care of all Provisions, Stores and other Necessaries which shall be sent to them, and issue out the same for the Use of the said Parishes; and shall from time to time give and render a just and true Account thereof to the Commissioners hereafter named, and for their encouragement shall each of them have and receive the farther Sum of Four Pounds *per* Month.

And in Order to keep up the said Parties till the said intended Service shall be effected, be it farther enacted by the

Authority aforesaid, That in Case any Soldier, *Mulatto*, *Indian*, free Negroe or Slave happen to be kill'd or wounded, that then and in such Case the next and immediate Commanding Officer in the Parish where such Party shall happen to be, shall upon Notice to him given by the Captain or Commanding Officer of such Party, immediately impress and send another Soldier, *Mulatto*, *Indian* or Slave, to supply the Place of the other so kill'd or disabl'd as aforesaid ; Respect being always had to the Directions contain'd in the said recited Act, of what Persons ought not to be impress'd in and by the said Act.

And whereas nothing can more effectually conduce to the speedy Destruction of the said rebellious Slaves, than Parties possessing themselves of their Settlements, or destroying the same when found out, be it farther enacted by the Authority aforesaid, That upon the Discovery of any such Settlement as aforesaid, either in the Windward or Leeward Parishes of this Island, any Party or Parties upon the Finding out or Discovering of the same, shall immediately secure themselves by Stockadoes , or such other Works as by themselves shall be adjudg'd most

most convenient, or destroy the same, according to the Directions which the Captains or Commanders of such Parties shall have or receive from the Governour or Commander in Chief for the Time being: And to the Intent the Governour may from Time to Time be inform'd of the Proceedings and Progress made by all Captains of Parties, in Order to give such Directions from Time to Time as he shall judge convenient, be it also enacted by the Authority aforesaid, That the Captain or Commander of each respective Party shall keep an exact and true Journal of all his Daily Proceedings, and transmit with all convenient Opportunities an exact and true Copy thereof, either to the Governour or Commander in Chief for the Time being, or to the Commanding Officer of the Parish where such Parties shall happen to be, who is hereby requir'd forthwith to forward the same; the Truth of which Journals the said Captain shall declare upon Oath when thereunto requir'd.

And to the Intent the said Parties may from Time to Time be supply'd with Provision and other Necessaries, be it enacted by the Authority aforesaid, That *Charles Chaplin*, Esq; and in

Case of his Death or Absence the Receiver-General for the Time being, shall be, and is hereby appointed to be Commissioner for the buying, providing and sending Provisions, Shoes, Rum, Sugar, distinguishing Caps, Ammunition, and other Necessaries, for and to the said Parties, as he shall from Time to Time be order'd and directed by her Majesty's Governour for the Time being; and he is hereby farther requir'd and empower'd to lodge in the Hands of such Persons, as he shall think fitting, the abovesaid Necessaries, in such convenient Place, as the Parties may have them with the more Conveniency, either on the North-Side or South-Side of this Island.

And to the Intent that no Negroes may be supply'd with Arms or Ammunition, be it farther enacted by the Authority aforesaid, That no Person whatsoever, Shop-keeper or other, shall sell to any Slave any Arms, *viz.* Guns, Pistols, Swords, Lances, Hangers, Matchets or other offensive Arms whatsoever, or any Powder, Ball or Shot, under the Penalty of One Hundred Pounds for every Offence, to be recover'd by Action of Debt in any of her Majesty's Courts
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of Record ; One Half whereof shall be to the Commissioner or Commissioners for the Time being, for and towards the Support and Maintenance of the said Parties, the other Moyety to him or them that shall inform or sue for the same, wherein no Essoign, Protection or Wager of Law shall be allow'd, or *Non vult ulterius prosequi* be enter'd, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That no Master or Mistress shall suffer any Negroe or other Slave whatsoever to sell or deliver any Powder, Arms or Ammunition, Drugs or Medicines of any Kind whatsoever, under the Penalty of One Hundred Pounds, to be recover'd from the Master or Mistress of such Slave, so suffering or permitting him or her to sell as aforesaid.

And be it farther enacted by the Authority aforesaid, That it shall and may be lawful for the Captain or Commander of any Party or Parties, to impress any One or more Gang or Gangs of Hunting-Dogs, for the Use of the said Parties, as he or they shall see convenient ; which Gang or Gangs of Dogs shall be apprais'd by any Two of the near-

est neighbouring Freeholders, that the Commander aforesaid shall appoint, both as to the real Value of them all, and as to the Monthly Use thereof; which Monthly Hire or total Value, if they or any of them are kill'd, disabled, lost or not return'd, shall be paid by the Commissioner herein appointed, out of the Money appropriated for the Use of Parties.

And be it farther enacted by the Authority aforesaid, That all and every Person and Persons whatsoever, receiving any Money to pay the said Parties, and delaying the Payment, or by any other Means defrauding the Men thereof, shall forfeit the Sum of One Hundred Pounds for every such Offence.

And whereas Captain *John Richardson*, of the Parish of St. *James's*, hath been signally serviceable in Parties against the rebellious Negroes, by whose particular Conduct their Haunts have been discover'd, and several of the said Rebels taken and destroy'd; be it therefore enacted by the Authority aforesaid, That the Commissioners hereby appointed shall, in Three Months after the passing of this Act, pay unto the said Captain *John Richardson* the Sum of Fifty Pounds over
and

and above his Pay, out of the Money appropriated for the Use of Parties, as a Reward for his good Service.

And whereas a Negroe Man nam'd *Hilas*, now belonging to *Job Williams* a Minor, the Son of *Job Williams* of the Parish of *St. Anns* Planter, hath often signaliz'd himself in Parties against the Rebellious Negroes, and more particularly against the *French*, who lately attempted a Descent in the said Parish, where he receiv'd Two dangerous Shots, One thro' each Thigh; for Recompence therefore of the said Negroe, and for the Encouragement of all other Slaves to engage chearfully in Opposing any Enemy, be it enacted by the Authority aforesaid, That the Commissioner in this Act nam'd, shall out of the first Ship that arrives after passing this Act, buy and pay for, out of the Money appropriated for the Use of Parties, One good able *Papau* or *Calimante* Negroe Man, near but not exceeding the Value of Forty Pounds, which said Negroe shall be deliver'd unto the said *Job Williams* Senior, for the Use of the said *Job Williams* Junior, to him and his Heirs for ever, for and instead of the said Negroe *Hilas*; and upon the Delivery or Tender of the said
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new Negroe to the said *Job Williams* Senior, or by the said Commissioner, or by any other Person whom he shall order or appoint, the said Negroe *Hilas* shall be freed immediately from Slavery, perfectly set at Liberty, and for ever hereafter shall have and enjoy all the Benefit and Privileges that all other free Negroes have or enjoy in this Island, any Sale, Gift, Grant, Law, Custom or Usage to the contrary in any wise notwithstanding.

And be it farther enacted by the Authority aforesaid, That if any rebellious Slave or Slaves now amongst the Rebels in this Island, shall before the Expiration of this Act, surrender himself to any Master of a Family or Overseer, such Slave or Slaves shall be freed from all Corporal Punishment and Loss of Life or Limb, but shall within three Months after such Surrender be transported from this Island, and be sold; and the Money arising from such Sale shall be paid into the Hands of the Commissioner in this Act appointed, for and towards the support of Parties, and for and towards no other Use whatsoever; and the Master of a Family or Overseer, to whom such rebellious Slave shall surrender himself as aforesaid, is hereby

hereby oblig'd and required to convey him or them so surrendering as aforesaid to the next commanding Officer of the Militia, who also is hereby strictly obliged and required to convey or cause him to be conveyed to the Commissioner herein appointed, under a sufficient Guard; and whatsoever Master of a Family, Overseer, Military Officer, or Person under his Command on such Guard, shall refuse to do his Duty as is before requir'd, shall forfeit for every such Offence the Sum of one Hundred Pounds.

And be it farther enacted by the Authority aforesaid, That if any rebellious or outlying Slave or Slaves shall be drove or come in after the going out of the said Parties, or either of them, the Owner or Owners, or any other Person or Persons knowing thereof, and not endeavouring to apprehend the said Slave or Slaves, nor discovering the same to some or one of her Majesty's Justices of the Peace, or to the next Commission Officer of the Militia, shall forfeit the Sum of one Hundred Pounds for every Slave so entertained, and not discovered as is before required,

Be it also enacted by the Authority aforesaid, That this Act shall be read at
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the Head of every Troop of Horse, and every Company of Foot in the Militia of this Island, within Forty Days after the passing of the same; and whatsoever Captain or Captains shall neglect or refuse to do the same, shall respectively forfeit the Sum of Twenty Pounds each.

Be it therefore farther enacted, That the Secretary of this Island for the time being shall and is hereby required to give a fair Copy of this Act to the Commissioner herein appointed, and to every Colonel of the Militia of this Island if required, who shall cause the same to be read at the Head of each Company of his said Regiment within Forty Days after the passing of this Act; for each of which he shall receive Twenty Shillings, to be paid by the said Commissioner out of the Money appropriated for the Uses of Parties.

And be it enacted by the Authority aforesaid, That *Charles Chaplin*, Esq; and in Case of his Death or Absence, the Receiver-General for the time being, shall be, and is hereby appointed sole Commissioner for receiving of all and every Sum and Sums of Money already or hereafter to be appropriated for this Use,

Use, and for buying and providing of all Necessaries, in the Stead and Room of the late Commissioner.

And be it also enacted by the Authority aforesaid, That nothing in this Act contained shall be construed, deemed or taken to repeal or make void the said Act, intituled, *An Act for the more effectual raising Parties to pursue and destroy rebellious and runaway Slaves*; but that all and every Article, Clause, Matter and Thing mentioned and contained in the said Act, and not hereby repealed or altered, shall continue and be in Force and Virtue as fully and effectually, to all Intents and Purposes, as if this present Act had not been made, any thing herein before contained to the contrary thereof in any wise notwithstanding.

And be it enacted by the Authority aforesaid, That all Forfeitures mention'd and contained in this Act and not mentioned how to be recovered and disposed of, shall be recovered in the Supream or Grand Court of this Island; one Moyety or half Part of all which said Forfeitures shall be to the Use of the Commissioner or Commissioners for the time being, for and towards the Maintainance of the said Parties, and the other Moyety to him or them

them that shall inform or sue for the same, wherein no Essoign, Protection or Wager of Law shall be allowed, or *Non vult ulterius prosequi* be enter'd, any Law, Custom or Usage to the contrary in any wise notwithstanding.

An A C T

*For the farther and better Securing
Port-Royal.*

WHereas the Kayes and Shoals at *Port-Royal* are by Experience found to be a very great Safeguard to the Town and Fortifications there erected, which Kayes and Shoals are daily lessened by several Persons carrying away the Stones and Sand from thence, the continuance of which may in the end prove very fatal and destructive to the Place, be it therefore enacted by the Governour, Council and Assembly of this your Majesty's Island of *Jamaica*, and it is hereby enacted by the Authority of the same, That no Stones, Shells, Gravel or Sand shall be taken up and carry'd away by
any

any Person or Persons whatsoever, their Slaves or Servants, from any Kayes or Shoals from between *one Bush* Kay to the *Eastermost* Kay so called, or within the space or compass of three Miles within or without the said Kayes or either of them, under the Penalty of the Forfeiture of such Boat or Canoe in which such Stones, Shells, Gravel or Sand shall be so carry'd off; to be recovered against the Party or Parties so offending contrary to the true Intent and Meaning of this Act, their Masters or Employers, by Warrant upon Conviction before any Justice of the Peace of the Precincts; which Boat or Canoe so forfeited shall be adjudged to belong to the Party or Parties that shall inform or prosecute for the same within Twenty Days after the Fact committed, any Law, Statute or Usage to the contrary in any wise notwithstanding. Provided nevertheless, That nothing in this Act contained shall be construed to extend to hinder any Person from taking up Stones to the Westward or Northwestward of the Leewardmost Channel, any thing herein contained to the contrary notwithstanding. And whereas the preserving the Harbour of *Port-Royal* is of the greatest Consequence
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to the Trade of this Island, be it farther enacted by the Authority aforesaid, That no Person or Persons whatsoever shall from and after the passing this Act, either Voluntarily or through Neglect, cause or suffer any Ship or Vessel to sink or be sunk in any other Part or Place within the said Harbour, except between the *Round Tower* and the *Palisadoes*, under the Penalty of One Hundred Pounds of Currant Money of this Island ; one Moyety or half Part shall be to her Majesty, her Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, the other Moyety to him, her or them that shall sue for the same in the Supream Court of Judicature of this Island, wherein no Essoign, Protection or Wager of Law shall be allow'd, or more than One Imparlance granted, or *Non vult ulterius prosequi* shall be enter'd, any Law, Statute or Usage to the contrary notwithstanding.

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An A C T

Appointing Way-Wardens, regulating Wharfage, and buoying out the Channel between Port-Royal and Kingston.

W Hereas the Inhabitants of the Town and Parish of *Kingston* are not qualify'd to elect Surveyors of the High-Ways according to an Act, entitl'd, *An Act for the High-Ways*, made in the Thirty Second Year of the Reign of his late Majesty King *Charles* the Second, whereby the said Town cannot be kept so clean and healthful as it ought to be, be it therefore enacted and ordained by her Majesty's Governour, Council and Assembly, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be lawful to and for the Justices and Freeholders of *Kingston* aforesaid, who are hereby required and obliged every Year when they shall first meet to lay their Parish Tax, to elect and choose Two or

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more Inhabitants of *Kingston* aforesaid to be Way-Wardens in the said Town, altho' not qualify'd according to the Directions of the said Act, who are hereby order'd and impower'd to summon and warn the Parishioners and Inhabitants of the said Parish to send Negroes and other fit Persons with Pick-Axes, Spades and other Things necessary, at such Time and Times as they shall think convenient, for the cleansing, repairing and amending of the Roads, Streets, Lanes, Alleys and publick Places of the said Town, and for the carrying away of the Dirt, Filth, and other Annoyances therein, to such Place or Places as to the said Way-Wardens shall seem meet and convenient, for the Health of the Inhabitants, and keeping clean the said Place, any Law, Custom or Usage to the contrary notwithstanding. And if any Way-Warden neglects his Duty touching the Premises, or any Part thereof, he shall forfeit the Sum of Ten Pounds for every such Offence; and every Freeholder, Parishioner or Inhabitant that being duly warned shall neglect his or their Duty in sending such Negroes and others, according as they shall be appointed by the said Way-Wardens,

Wardens, shall forfeit Forty Shillings for each Offence, to be recover'd in such Manner as other small Debts not exceeding Forty Shillings are recoverable within this Island. And be it farther enacted by the Authority aforesaid, That all Persons keeping publick Wharfs or Bridges at *Kingston* aforesaid, shall be obliged to keep a Book, wherein he she or they shall fairly enter the Marks and Numbers of all such Goods as shall be landed on his, her or their Wharf or Wharfs, Bridge or Bridges, and also the Name or Names of the Person or Persons by whom landed, and the Name or Names of the Vessel or Vessels out of which the said Goods shall be taken, and also to take a Receipt of the Person or Persons to whom the said Goods shall be deliver'd; and if any Owner or Owners of the said Wharf or Wharfs, Bridge or Bridges, have or shall receive Payment for any Goods landed on their said Wharf or Wharfs, Bridge or Bridges, or for any Vessel lying and delivering or loading thereat, the said Wharf or Wharfs, Bridge or Bridges shall be deemed and held to be as a publick Wharf or Bridge; and if any Wharfinger shall neglect to keep such a Book,

and to make such Entries as aforesaid, such Wharfinger so neglecting his or her Duty therein shall forfeit for every such Offence the Sum of Ten Pounds, any Law, Custom or Usage to the contrary notwithstanding. And be it farther enacted by the Authority aforesaid, That it shall and may be lawful to and for any Owner or Owners of any Wharf or Wharfs, Bridge or Bridges as aforesaid, from and after the first Day of May in this present Year of our Lord, 1709, to Demand and Receive of all and every Person or Persons whatsoever, Landing any Goods on his, her or their Wharf or Wharfs, Bridge or Bridges, the Rates hereafter mentioned, and no other, on Penalty of Forty Shillings for each Offence, *viz.* for each Hoghead of Sugar or other Goods of the Product of this Island, the Sum of One Shilling and Sixpence, for Landing, Wharfage, Covering, Weighing and Shipping off, and for Indico, Cotton, Piemento and Ginger in Bag or small Cask Three Half-Pence *per* Hundred for Landing, Wharfage and Weighing, and the like Sum of Three Half-Pence *per* Hundred for Shipping off again; and for Wharfage and Weighing of each Ton of
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of Logwood, and all other Woods for the Dyers Use, the Sum of Fifteen Pence, and the like Sum of Fifteen Pence for every Ton for Weighing and Shipping off the same; and for each Ton of *European* Goods landed, or Goods from *North-America* or the *Western-Islands*, Two Shillings and Six-Pence *per* Ton *Jamaica* Tonnage; and the like Sum of Two Shillings and Six-Pence *per* Ton for Shipping off the same again; and for Cocoa, Sarsaparilla, and Jesuits Bark, the Sum of Three Half-Pence *per* Hundred, and for Salt a Half-Penny *per* Bushel; and each Wharfinger is hereby obliged to keep a Crane, Sheds and Tar-pawlings, for Securing of Goods landed upon their Wharf or Wharfs, Bridge or Bridges from the Weather, on Penalty of Forfeiting the Sum of Forty Shillings for every Default, and be farther liable to an Action at Law for whatever Damages shall be done to any Goods on their said Wharf or Wharfs, Bridge or Bridges, and also for whatever Goods shall be lost or stol'n therefrom, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding. And whereas the sinking of Wrecks is very pernicious to the Road of King-

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ston, be it therefore enacted by the Authority aforesaid, That no Wreck or Wrecks from and after the first Day of *May* in the Year of our Lord 1709, be sunk, or Ballast thrown into the said Road to the Eastward of the West End of the Town of *Kingston*, nor to the Westward of the East Part of the Town of *Kingston*, other than what is already sunk or thrown into the said Road, under the Penalty of forfeiting the Sum of one Hundred Pounds for every such Offence, and be farther liable to remove the same. Provided, That it shall and may be lawful to and for the Justices in Sessions to give leave to any Person or Persons to sink any Wreck or Wrecks in any Part of the said Road, that may be by them thought most convenient, for the Careening of Ships and Vessels, and not otherwise, any Law, Custom or Usage to the contrary notwithstanding. And whereas the throwing of Squibs, Serpents, Rockets, or other Fire-Works may happen to be very prejudicial to the Inhabitants of the said Parish, and several Merchants and others intrusting their Goods and Effects there, for the prevention of which, be it therefore farther enacted by the Authority aforesaid, That
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if any Person or Persons shall from and after the first Day of *May*, in the said Year of our Lord 1709, by themselves or White Servants, throw any Squibs, Serpents, Rockets or any other Fire-Works, in any Street, Lane or Alley within the Town of *Kingston*, every such Person so offending shall forfeit the Sum of Forty Shillings for every such Squib, Serpent, Rocket or other Fire-Work so thrown, to be recovered before any Justice of the Peace of the said Parish, in such manner as other small Debts are recoverable (not exceeding Forty Shillings) within this said Island; one half of which Forfeiture shall be to the Use of the Informer, and the other to the Church-Wardens for the time being, to and for the use of the Poor of the said Parish, or whatever other charitable use the Justices and Vestry of the said Parish shall think fit. And whatever *Mulatto*, *Indian* or *Negro*, being Slaves, shall presume to throw or make use of any Squib, Serpent, Rocket or other Fire-Work within the said Town as aforesaid, it shall and may be lawful for any Constable of the said Parish immediately to seize and take up such *Mulatto*, *Indian* or *Negro* so offending, and him or them to carry

to the publick whipping Place of the said Town, and there to order such *Mulatto*, *Indian* or Negroe to receive on his bare Back Thirty Nine Lashes, and no more; which every Constable is hereby required to see done and performed, under the Penalty of forfeiting Forty Shillings for every such his Neglect, to be recover'd before any Justice of the Peace in such manner as aforesaid; one half of which Forfeiture shall be for and to the use of the Informer, the other half to the Church-Wardens for the time being, for the use of the Poor of the said Parish, any Law, Custom, or Usage to the contrary notwithstanding. And be it also farther enacted by the Authority aforesaid, That it shall and may be lawful to and for the Town and Parish of *Kingston*, from time to time and as often as there shall be Occasion, to Buoy or Stake out the Channel between *Kingston*, and *Port-Royal*, at the Costs and Charges of the Parish of *Kingston* aforesaid. And be it also farther enacted, That whatsoever Person or Persons, by him or themselves, or his or their Servant or Servants, shall willingly or maliciously cut away any such Buoy or Stake, or pull up the same, every such Person or Persons so offending, shall
for

for every such Buoy or Stake pulled up or cut away as aforesaid, forfeit the Sum of Fifty Pounds; one half of which Forfeiture shall be to the use of her Majesty, her Heirs and Successors; for and towards the support of the Government of this Island and the contingent Charges thereof, and the other half to him or them that shall sue for the same in the Supream Court of Judicature in this Island. And be it farther enacted by the Authority aforesaid, That all Penalties in this Act, and not mentioned how to be disposed of, or how recovered, shall be one half to her Majesty, her Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, and the other half to the Informer, or him or them that shall sue for the same, to be recovered in her Majesty's Supream Court of Judicature in this Island, wherein no Essoign, Protection or Wager of Law shall be allowed, or *non vult ulterius prosequi* entred, any Law, Custom or Usage to the contrary in any wise notwithstanding.

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For Regulating Fees.

WHereas notwithstanding the Act for regulating Fees, several Officers of this Island have introduced several new Fees, and taken greater and other Fees than such as were allowed by the said Act, to the great Oppression of the Inhabitants of this Island; for the Prevention whereof for the future, be it enacted by the Governour, Council and Assembly of this your Majesty's Island of *Jamaica*, and it is hereby enacted and ordained by the Authority of the same, That the Fees of the several Offices and Officers in this Island shall be as follows, *viz.*

To the *Secretary*, for Recording a Common Patent for One or more Parcels of Land, Five Shillings.

For an *Escheat* Patent, Seven Shillings and Sixpence.

Each *Plat*, One Shilling and Three-pence.

Recording a Deed the Length of a Common Patent for Land, Five Shillings.
And

And if longer Eightpence *per* Sheet, containing Twenty Lines and Eight Words to each Line.

Recording Wills, Inventories, Presentations, Priests Testimonials, Naturalizations, and Letters of Attorney, at the same Rate.

For all Copies the same as Recording.

For each Bond for Aliens Ships, Ten Shillings.

Taking Bonds on Ships Entries, Five Shillings.

Certificate to the Naval Officer thereof, One Shilling Threepence.

If a Register to be Sworn to, One Shilling Threepence.

Each Wine-Licence, Sixteen Shillings Threepence.

And Bond to it, One Shilling Threepence.

Marriage Licences, and Bonds to them, Seventeen Shillings Sixpence.

Each Protest under Hand and Seal, Ten Shillings.

Besides travelling Charges at One Shilling and Threepence *per* Mile.

For obtaining the Governour's Attestation, if required thereto, Five Shillings.

Cer-

Certifying Bills of Lading and Attestations thereto, Six Shillings Threepence.

Recording Slaves Freedoms, One Shilling Threepence.

Searching and Acknowledging Satisfaction, each One Shilling Threepence.

Dockets, One Shilling Threepence.

For each Let-pas, Five Shillings.

Tickets to go off this Island, Two Shillings Sixpence.

Tickets to go off this Island without Bonds, Five Shillings.

Permits for Ships bound away, One Shilling Threepence.

Permits for Island Vessels which are to be delivered at *Kingston* or *Port-Royal* on Demand, Sevenpence Halfpenny.

Putting up Names and Underwritings at each Place, Sevenpence Halfpenny.

Taking and Recording Renunciations, Ten Shillings.

Citations, each Name Two Shillings Sixpence.

Guardian Ships and Bonds, Eighteen Shillings Ninepence.

Caveats, Sevenpence Halfpenny.

Probates of Wills, Ten Shillings.

Dedimus and recording, Ten Shillings.

Let-

Letters of Administration and Warrants of Appraisment, with Bonds, each Seven Shillings Sixpence.

And whereas it is necessary for the ease and security of all her Majesty's Subjects, that all Deeds and other Writings brought into the said Office should be recorded in a prefixt time, be it farther enacted by the Authority aforesaid, That the Secretary, his Deputy or Deputies, Clerk or Clerks, shall immediatly upon bringing of any Deeds or other Writings into the said Office, sign and give a Receipt under his Hand to the Person or Persons bringing such Deeds or Writings, and demanding the same, for which he shall and may demand Sevenpence Halfpenny and no more ; and paying for recording the same, shall be obliged to give a Receipt for the Money so paid, and thereupon shall immediately under-write or indorse upon such Deeds or Writings the Day of their being entred in the Office or coming to his Hands, as aforesaid ; and that every such Deed or other Writing shall be recorded fairly at length within Fifty Days after the same shall be brought into his Office, or delivered into the Hands of the Secretary or his Deputy, as aforesaid, under the Penalty of Fifty

ty Pounds for every neglect or default, contrary to the true Intent and Meaning hereof; and that every such Deeds or other Writings so entred as aforesaid, shall be deemed and taken to be enrolled from the time of the Entry or Delivery thereof into the Secretary's Office as aforesaid, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding. And whereas it has happened that some of the Laws of this Island have been obliterated, and sometimes lost, be it enacted by the Authority aforesaid, That all and every the Acts of this Island now in Force, and all others hereafter to be made and passed, shall be entred and recorded in the Secretary's Office of this Island, in a fair Book to be kept for that Purpose only, under the Penalty of one Hundred Pounds, and such Entry or true Copy thereof sworn to by the Secretary before any Judge of the Supream or Grand Court, shall be deemed and taken to be as valid as the Original Act, and pleadable in all or any of her Majesty's Courts of Record in this Island; and that the present Secretary or any other Secretary, or Secretaries for the time being, shall have and receive Twenty Five Shillings for each Act to be

be recorded as aforesaid which hath been already passed, and for each Act hereafter to be passed Twenty Shillings, to be paid out of the publick Treasury of this Island, and for all Copies the same as recording Deeds and Patents; to be paid for by the Person demanding such Copies.

And be it farther enacted by the Authority aforesaid, That the Fees of the *Supream Court* shall be, *viz.*

To the Judges for signing every Process, one Shilling Threepence.

To the Clerk for a Writ of Summons, Arrest, Replevin or Foreign Attachment, one Shilling Threepence.

For filing a Declaration and Copy of it annex'd to the Writ, Two Shillings Sixpence.

For a Bond for Foreign Attachment, Arrests, and Replevins, and upon no other Writ whatsoever, Two Shillings Sixpence.

For a Replication or Rejoynder, Two Shillings Sixpence.

For a Common Plea, Sevenpence Halfpenny.

For a Special Plea, Two Shillings Sixpence.

For

For Recording a Judgment, Two Shillings Sixpence.

For a *Venire Facias*, Sevenpence Halfpenny.

For a *Habeas Corpus*, by Order of Court, Two Shillings Sixpence.

To the Clerk for receiving every Verdict and Continuance, each Sevenpence Halfpenny.

For a *Retraxit* or Nonsuit recorded, each one Shilling Threepence.

For a Writ of Possession, Seizin or Restitution, each Five Shillings Sevenpence Halfpenny.

For Executions and Venditions, Two Shillings Sixpence.

For a *Subpoena*, in which the Names of three Witnesses may be inserted, One Shilling Threepence.

For a Recognizance or Deposition taken in Court, One Shilling Threepence

For entring Satisfaction upon Record or *Supersedeas*, Two Shillings Sixpence,

For taxing Costs, One Shilling Threepence.

For a Commission of Reference to Auditors, Five Shillings.

For a Writ of Enquiry, *Scire facias* and returning the Record upon Writ of Error, Two Shillings Sixpence.

For

For Warrant of Attorney in each Cause as has been usual, Seven Pence Halfpenny.

For entring the Report of Auditors, and for the Exemplification of a Record, each Five Shillings.

For every Judgment confessed out of Court to the Clerk, Two Shillings Sixpence.

For every other Writ issuing out of the said Court, one half to the Judge, the other half to the Clerk, Five Shillings.

To the Cryer of the Grand Court for every Witness Sworn, Seven Pence Halfpenny.

And for calling out the Defendant, where the Action goes by default, One Shilling Threepence.

And it is farther enacted and ordained by the Authority aforesaid, That in Case of the Death or Disability to act of any Chief Judge of this Island for the future, it shall and may be lawful for the next Assistant Judge to sign all Writs, and in every thing else to act and do for the expediting and dispatch of Justice, in as full and ample manner as the Chief Judge himself might or could have done, until a new Judge

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shall

shall be appointed, or the Disability removed. And whereas the like Inconveniencies may happen by the Death of any Provost Marshal of this Island, between the Test and Return of Writs, so as all such Process may be entirely lost, to the great delay and expence of the Subject in reviving such Process, be it therefore farther enacted by the Authority aforesaid, That in Case of the Death or Removal of any Provost-Marshal for the future, so as he may be rendered incapable to make return of Writs, the succeeding Provost-Marshal is hereby authorized and empowered to make return of the same, and in every thing else to act and do as fully and effectually as the preceding Provost-Marshal could have done, first having given security to the preceding Provost-Marshal or his security to indemnify them, and taking the same himself of the respective Marshals, and in all other respects qualify'd himself as by the Law of this Island is required, any Law, Custom or Usage to the contrary notwithstanding. And be it farther enacted and ordained by the Authority aforesaid, That no Clerk of the Supream Court, or any other Person who shall Officiate the said Office, shall deliver

deliver out, to any Lawyer, Attorney, Solicitor, or any other Person or Persons, any Writ whatsoever, until a Declaration be filed in the Clerk's Office for the same, except Warrants of Arrests and *Subpenas*, under the Penalty of Five Pounds for every Writ so given out. And it is hereby farther enacted by the Authority aforesaid, That the *Provost-Marshall's Fees* be, for every Commitment and Release, either in Common Law or *Chancery*, each Two Shillings Sixpence.

For Dyet and Lodging as the Prisoner can agree, or to find himself, or if the Prison-Allowance *per* Day, Seven Pence Halfpenny.

For executing any Writs in the Town of *St. Jago de la Vega*, Two Shillings Sixpence.

For an Arrest on Board of Ship, besides Boat-Hire, Five Shillings.

And in any other Place, besides Mile-Money, Five Shillings.

For exempting a Writ of Possession, Seizin, Writ of Escheat, *Cessavit* or Assignment of Dower or Partition, Ten Shillings, and Mile-Money after the rate of Sixpence *per* Mile to the place where the Writ is executed.

For summoning a Jury to execute a Writ of Possession, Escheat, *Cessavit* or Assignment of Dower or Partition, within the Town of *Jago de la Vega*, *Kingston*, or *Port-Royal*, or within five Miles of any of the said Towns, Three Pounds.

If above five Miles, Five Pounds.

For the Return of a *Habeas Corpus cum Causa*, if in the Town of *St. Jago de la Vega*, Two Shillings Sixpence.

For his Attendance on the Prisoner to any other Place *per Day*, Four Shillings Four Pence Halfpenny.

For Summoning a Special Jury, Six Shillings Threepence.

For the Return of a *Venire Facias*, One Shilling Threepence.

For every Bond with Sureties for Appearance to be paid by the Defendant, Seven Pence Halfpenny.

For Allowance of a *Supersedeas*, One Shilling Threepence.

For a Copy of a Warrant, Seven Pence Halfpenny.

For Executing all Writs of Enquiry, Writs of Partition, *Proprietate Probanda*, forcible Entry and Writs of Possession, each Ten Shillings, and Mile Money at and after the Rate of Sixpence *per Mile*.

For

For Serving every Summons at Common-Law or Foreign Attachment, besides Mile-Money, Two Shillings Sixpence.

For his Fees upon each Verdict, Two Shillings Sixpence.

For Serving all Summons and other Writs at Common-Law and all other Writs issuing out of the Court of Chancery, to him directed, Two Shillings Sixpence each Writ, besides Mile-Money at Threepence *per* Mile, except all Writs of Election, for which shall be paid such Fee or Fees as the Governour and Council for the Time being shall think fit to order and appoint.

For every Search in the Provost-Marshal's Books, One Shilling Threepence.

For each Licence to sell Drink, Sixteen Shillings Threepence.

For levying a Debt by Execution for the first Hundred Pound and under, at the Rate of Twelvecpence *per* Pound, and for all Sums over and above One Hundred Pounds Sixpence in the Pound, and no more, and that he take no more Fees than for the Money that is really due to the Plaintiff, without any Pretence of Mile-Money or any other Charge whatsoever.

For an Assignment of a Bail-Bond,
Two Shillings Sixpence.

For Disbursting his Money for taking
up Runaway Negroes which are brought
to Prison, Two Shillings Sixpence in the
Pound.

For Dyet for every Negroe *per* Day,
Sixpence.

For Executing every White Person,
Five Pounds.

For Executing every Slave, One Pound,
and Mile-Money after the Rate of
Sixpence *per* Mile to the Place where
the Slave is sent to be executed, to be
paid together with the Prison Fees by
the Church-Wardens of the Parish to
which the Slaves belong. To the Bai-
liff that keeps the Jury for every Action
try'd, One Shilling Threepence.

For serving all Procces issuing out of
the supream Court (*Subpenas*, Execu-
tions and Venditions only excepted) *per*
Mile Threepence, which Miles aforesaid
shall be accounted from the Supream
Court to the several Places where the
Writs shall be served, according to the
common Computation. And it is here-
by enacted and ordained by the Autho-
rity aforesaid, That the Clerk of the Su-
pream Court, the Marshal nor any o-
ther

ther Person whatsoever shall hereafter for any Action where the Verdict of the Jury shall not amount to above Twenty Pounds (excepting where Titles of Land are try'd) take any other or greater Fees than what are allowed in the Petty Courts of this Island, under the Penalty of One Hundred Pounds Currant Money, to be recovered by Action of Debt in any Court of Record of this Island, wherein no Essoign, Protection or Wager of Law shall be allowed; one Moyety whereof shall be to our Sovereign Lady the Queen, her Heirs and Successors for and towards the support of the Government of this Island and the contingent Charges thereof, the other Moyety to the Party aggrieved, or to him or them that shall sue for the same.

That the Fees of the *Inferior Courts* shall be to the Jury upon each Verdict, Two Shillings Sixpence.

For a Summons, Seven Pence Halfpenny.

For confessing Judgment out of Court, One Shilling Threepence.

For copying and filing a Declaration, each One Shilling Threepence.

To the Judge for signing any Process, One Shilling Threepence.

For entring a Plea, Replication or Rejoinder, each One Shilling Threepence.

For a *Capias*, One Shilling Threepence.

For a Summons for a Jury, Sevenpence Halfpenny.

To the Clerk for recording the Verdict and entring Judgment, each One Shilling Threepence.

For a *Retraxit*, Discontinuance or Nonsuit and recording the same, each One Shilling Threepence.

For an Execution and Vendition, each Two Shillings Sixpence.

For a *Scire Facias*, Two Shillings Sixpence.

For an Exemplification of a Record, Five Shillings.

To the Cryer for every Verdict, One Shilling Threepence.

For a *Subpœna*, One Shilling Threepence.

For certifying a Record upon a Writ of Error, Five Shillings.

For a Commission to and return of Auditors, each Five Shillings.

For every Bond taken upon Warrant of Arrest or Replevin, each One Shilling Threepence.

For

For filing a Warrant of Attorney, Sevenpence Halfpenny.

For a Continuance each Court and Replevin, each One Shilling Threepence.

For acknowledging Satisfaction upon Record and Taxing Costs, each One Shilling Threepence.

To the Cryer for every Witness Sworn, Sevenpence Halfpenny.

Provided always and it is farther hereby enacted and ordained by the Authority aforesaid, That none of the Inferior Courts intermeddle with or determine any Actions whatsoever where Titles of Land or Negroes are concerned, any Law, Custom or Usage to the contrary notwithstanding.

And be it farther enacted by the Authority aforesaid, That the Judge or Judges of any of the Inferior Courts of this Island, shall have like Power and Authority to issue out Foreign Attachments for any Sum of Money under Twenty Pounds, as the Chief Judge of the Supreme Court now hath by an Act of this Island, any Law, Custom or Usage to the contrary notwithstanding. And be it farther enacted by the Authority aforesaid, That the Fees of the Marshals of the Inferior Courts be for the Return
of

of a *Cepi Corpus Nulla Bona non est Inventus*, each Sevenpence Halfpenny.

For the Return of a Proclamation, One Shilling Threepence.

For the Return of a *Habeas Corpus*, Two Shillings Sixpence.

For every Name returned upon an Exigent, Seven Pence Halfpenny.

For the Return of a Record upon Writ or Error, Two Shillings Sixpence.

For Serving every Process *per* Mile, Threepence.

For Serving a Replevin, One Shilling Threepence.

For Release of a Fellow, One Shilling Threepence.

For every Commitment and Releasement, each One Shilling Threepence.

And be it enacted and ordained by the Authority aforesaid, That the Clerks of the Crown and Peace for the several and respective Courts and Sessions within this Island, shall be obliged and are hereby required to return to the Provost-Marshal General Estreats of all Fines, Forfeitures and Amerciaments whatsoever, not taken off, which shall be imposed in any of the said Courts, within One Month after each Court or Sessions, under the Penalty of Twenty Pounds

Pounds for every Default; to the End the Provost-Marshal for the Time being may deliver Copies of the same to her Majesty's Attorney-General and Receiver-General for the Time being, in order to obtain Process for levying the same, which he is required to do in One and Twenty Days; and after the Receipt of any Monies by him so levy'd to pay the same forthwith into the Hands of the Receiver-General for the Time being. And in Case the Provost-Marshal shall neglect to pay into the Hands of the Receiver-General for the Time being, any such Fines, Forfeitures or Amerciaments within Twenty Days after the Receipt thereof, he shall forfeit for every such Offence the Sum of One Hundred Pounds.

That the Coroner's Fees be for each Inquisition taken on the Body of any Person that came by an untimely Death, to be paid out of the Estate of the Person deceas'd, and where no Estate is found, then to be paid by the Church-Wardens of the Parish where the Inquisition is taken, Three Pounds.

To the Justices of the Peace for every Warrant, One Shilling Threepence.

For

For every Examination, Affidavit, *Mitimus* and Release ; each One Shilling Threepence.

For every Recognizance, Two Shillings Sixpence.

To the Constable for every Warrant served, One Shilling Threepence.

That the Clerk of the Crown's Fees be for every Indictment return'd *Billa Vera*, One Pound.

And for ever Bill *Ignoramus*, Twelve Shillings Sixpence.

That the Clerk of the Peace's Fees be for an Order of Sessions for a Licence to sell Rum and Rum Punch, and Bond, Seven Shillings Sixpence.

For every Presentment returned *Billa Vera*, Twelve Shillings Sixpence.

For every Bill returned *Ignoramus*, Seven Shillings Sixpence.

For the Tryal of Negroes, Ten Shillings.

And for every Days Attendance after the first, Five Shillings.

For every Recognizance, Two Shillings Sixpence.

For filing or entring the same or any other Recognizance, Two Shillings Sixpence.

That

That the Fees of the Great Seal be, for the Seal for every Hundred Acres of Land Patented Ten Shillings, and so in proportion for a greater or lesser quantity; for Foot Land Five Shillings not exceeding Fifty Foot Square, adding two sides of the Square together, and Ten Shillings for every Hundred Foot or any other Number above Fifty Feet.

For every Order granted for taking up Land Two Shillings Sixpence *per* Hundred and no more, and so in proportion for a greater or lesser Number of Acres.

For sealing a Writ of Exemption of a Decree, *Subpæna* or other Process, Sevenpence Halfpenny.

That the Fees in *Chancery* be for an Affidavit or Oath to answer, taken before a Master in Chancery, One Shilling Threepence.

For all other Affidavits, One Shilling Threepence.

For taxing a Bill of Costs, Five Shillings.

To the Governour, for every Oath taken before him as Governour or Ordinary, One Shilling Threepence.

That the Clerk of the Chancery and Patents Fees be for Registering every Bill, Answer or any other Proceedings,
Eight

Eightpence *per* Sheet, accounting Eight Words to a Line and Twenty Lines to a Sheet; and where there are more Plaintiffs or Defendants than one in any Cause, that no more than one Copy of the Bill, Answer or any other Proceedings shall be charged by the Register, or taxed in any Bill of Costs.

To a *Subpœna* in which the Names of three Witnesses may be inserted, Two Shillings Sixpence.

For an Attachment, Two Shillings Sixpence.

For a Writ of Inquisition, Bond and Attendance, Five Shillings.

For a Commission, Six Shillings Tenpence Halfpenny.

For a Decree and Copy thereof, Six Shillings Threepence, if not above six Sheets; if above, Eightpence *per* Sheet, Twenty Lines to a Sheet and Eight Words to a Line.

For a *Dedimus*, Five Shillings.

For a *Justicias*, Five Shillings.

For Money lodging in Court, Sixpence *per* Pound.

For entering an Order of Court, One Shilling Threepence.

For a Copy of a Minute of one Cause in one Chancery Day, One Shilling Threepence. For

For an Oath taken in Court, One Shilling Threepence.

For filing any Proceedings, One Shilling Threepence.

For entring an Appearance, One Shilling Threepence.

For a Certificate of each parcel of Land resigned to the Queen, Five Shillings.

For every Escheat, Patent and Bond, One Pound.

And for all other Patents, Ten Shillings.

And if any more parcels of Land than one in a Patent, Fifteen Shillings and no more.

For Searching, One Shilling Threepence.

For a Docket, One Shilling Threepence.

For a Plat, Two Shilling Sixpence.

For a *Caveat*, One Shilling Threepence.

For a Commission of Rebellion, Twelve Shillings Sixpence.

For all other Writs issuing out of the Chancery, each Five Shillings and no more.

And be it hereby enacted, that all Chancery-Process, except Attachments, may

may be served by any Person as heretofore; That the Attorney General's Fee be for each Common Patent where there is but one parcel of Land, one Pound; and if more parcels of Land be contained in a Patent, then One Pound Ten Shillings; for an Escheat Patent Five Pounds, and no more; for each *Fiat* Ten Shillings; for a Pardon Five Pounds; and for all prosecutions at the Queen's Suit and other process relating thereto, as the Governour and Council for the time being shall direct.

That the Receiver-General's Fees be such as are appointed by the Quit-Rent Act, as also for entring and clearing all Vessels that come from Foreign Parts Five Shillings each, for every Bond taken in his Office Two Shilling Sixpence, for entring and clearing all Vessels that go Trading to other Countries One Shilling Threepence each. Provided always, that no Turtlers nor other Vessels Trading about this Island shall pay any Fees.

That the Naval Officer's Fees be for entring all Ships from abroad to this Island from the Northward of the Tropic of *Cancer*, Two Shillings Sixpence.

For clearing each such Vessel Two Shillings Sixpence.

For

For examining and recording Certificates, that Bonds are given according to the Act of Navigation in *England*, Five Shillings.

For every Bond taken here not to break the said Act, with Duplicate of the same, Five Shillings.

For examining all Cockets, Bills of Store and Certificate of the Freedom of the Ships and Vessels trading to this Island, Two Shillings Sixpence.

For taking an Account of all Vessels trading to this Island, Two Shillings Sixpence.

For administering the Oath appointed by an Act of the Country to the Masters of *Madera* Vessels that import Wines, One Shilling Threepence.

For entering and clearing all Vessels trading about this Island (except Turtling Sloops, which shall be and are hereby exempted from paying any thing) One Shilling Threepence.

For every Oath administered, One Shilling Threepence.

For every Warrant of Survey, Two Shillings Sixpence.

For the Return, Two Shillings Sixpence.

For a Certificate that the Goods of the Growth of *Europe* were ship'd from hence to any of the Colonies in North *America* and the Oath, Eight Shillings Ninepence.

For Registring all Ships pursuant to an Act of Parliament, entitled, *An Act for preventing Frauds and Regulating Abuses in the Plantation Trade*, Five Shillings.

That the Collector's Fees be, for entering and clearing all Vessels trading beyond the Tropick of *Cancer*, and Certificate given of their Lading, Five Shillings.

For entering and clearing all Vessels trading to *Guinea*, with Bonds and Certificates of paying *Ten per Cent.* and administering the Oath, Ten Shillings.

For entering all Invoices of Goods returned from *Guinea* and administering the Oath, Two Shillings Sixpence.

For signing the Register of all Vessels and recording the same, Five Shillings.

For signing a Certificate, Five Shillings.

For Registring the Company of every Three Mast Vessel, Five Shillings.

And for Registring every other Vessel or Sloops Company (except turling Sloops and Vessels trading round this Island, which

which shall not pay any thing for such Register or altering the same) Two Shillings Sixpence.

That the Fees of the Admiralty be, to the Judge or Judges and other Officers of the Court on the Condemnation or Acquittal of every Vessel seized for breach of any of the Acts of Navigation or Trade, for every Vessel under One Hundred Tons, Ten Pounds.

And for every Vessel of One Hundred Tons or upwards, Fifteen Pounds; to be distributed amongst the Judges or other Officers in such manner as is allowed by an Act of Parliament, entitled, *An Act for the Encouragement of the Trade to America.*

To the Register for a Copy of a Condemnation, One Pound.

For a Warrant of Appraisement under the Seal of the Admiralty, Ten Shillings.

That the Clerk of the Market's Fees be, for every Beef and Veal killed, One Shilling Threepence.

For every Mutton, Lamb, Goat, Turtle, Hog or Kid, each Sevenpence Halfpenny.

Where any Disputes shall arise about Weights between the Buyer and Seller, and Complaint be made to the Clerk

to decide it by Weighing at his Scales, to be paid for each Draught by the Party in the wrong, One Shilling Three-pence.

For marking every Pot, from the Gill to the Gallon, Twopence.

For marking all Weights, from the Ounce to the Half Hundred Weight Gross, Twopence.

For sealing every Ell or Yard, Twopence.

Provided always, That no Fees shall be taken for Weights and Measures as aforesaid above once every Year, and that only in each Market, Retailers Bings and Habitations within this Island, except Weights belonging to Wharfingers and Storehouse-keepers, which shall be weighed sometime in the Months of *February* and *June* every Year by the Clerk of the Market; and that no Still-yards be made use of in any Markets, Retailers or Hucksters Shops, under the Penalty of Twenty Shillings for each time so made use of; one half of such Forfeitures to be to the Poor of the Parish, the other to the Informer or him that shall sue for the same before any Justice of the Peace.

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Provided always, That the Clerk of the Market, or other Person officiating under him, shall not take or demand any of the Fees aforesaid for killing of Meat, but of such Persons as shall sell in the said Market; nor shall presume to officiate in his said Office until he has qualify'd himself as by an Act for Regulating Fees is required; nor shall ask, demand or receive any of the Fees beforementioned, unless he constantly attends by himself or Deputy during the time of the Market, under the Penalty of Forty Shillings for every such Offence, to be recovered before any Justice of the Peace, one half to the Informer, the other half to the Poor of the Parish. And that no Butcher or Turtler shall sell any Turtle or Meat by Retail, but in open Market, under the Penalty of Forty Shillings, to be recovered before any Justice of the Peace for the Poor of the said Parish.

And it is hereby enacted by the Authority aforesaid, That the Surveyor's Fees shall be for entring the Order into his Book, One Shilling Threepence.

For surveying or resurveying, Twopence *per* Acre, all *Savana* level or clear Ground; and for Wood-Land Fourpence *per* Acre; and Ten Shillings for each Day

hindred or delay'd for drawing the Plat with Fieldwork, which they shall be obliged to deliver with their Plat, Ten Shillings.

For surveying House or Land at St. Jago de la Vega, Port-Royal, Kingston, Passage Fort, or any other Bay or Harbour, if not exceeding One Hundred Twenty Feet, and so in proportion for a greater quantity of Foot-Land, Ten Shillings.

To the Clerk of the Warrants for drawing a Warrant for the Seal, Four Shillings Fourpence Halfpenny.

That the Lawyers Fees be, for drawing a Declaration, Five Shillings.

For each Copy, Two Shillings Sixpence.

For a pleading Fee, Five Shillings.

For drawing every Bill, Answer, Plea, Demurrer, Replication, Rejoinder and all other proceedings in Equity, each Two Pounds.

For Engrossing the same, One Pound.

For every Motion made or defended in the Court of *Chancery*, upon which any Order is made, Ten Shillings.

For Arguing Exceptions, a Plea, Demurrer or the Clause at hearing, One Pound.

And

And to the intent that no Person be imposed upon - or obliged to pay any greater or other Fees than what are herein mentioned, expressed and set down, be it farther enacted by the Authority aforesaid, That a fair written Table of the Fees allowed and established by this present Act to be taken in the respective Offices in this Island, shall be constantly and publickly kept up in the several Offices following, *viz.* the Secretary's Office, Provost-Marshal's Office, Clerk of the Crown, Clerk of the Grand Court, Register of the *Chancery* Office, Clerk of the Patents, in the Register of the Admiralty's Office, Naval Office, Collector and Receiver General's Office; and in case any Officer or Officers shall neglect or delay, within Forty Days after the passing this Act, to fix and set up Tables of their Fees, as they are hereby settled and established, every such Officer or Officers neglecting, omitting or delaying to do the same, shall forfeit the Sum of One Hundred Pounds, to be recovered in any Court of Record of this Island, by Action of Debt or otherwise; one Moyety whereof shall be to her Majesty, her Heirs and Successors, for and towards the support of the Government of

this Island and the contingent Charges thereof, the other Moyety to the Informer or him or them that shall sue for the same.

And in case any Officer, or any other Person for them, shall on any pretence whatsoever presume to ask, take, demand or receive any greater or other Fees, Sum or Sums of Money, or other Reward, save what is herein before prescribed (always except what shall be voluntarily given or allowed to Lawyers or Practitioners at Law by their Clyents) every such Officer, Person or Persons so asking, demanding, taking or receiving, shall for every such Offence respectively, forfeit the Sum of One Hundred Pounds; one Moyety whereof shall be to her Majesty, her Heirs and Successors, for and towards the Support of the Government of this Island and the contingent Charges thereof, the other half to the Informer or him or them that shall sue for the same, and be farther incapacitated to bear any such Office or such Place of Trust, and such Lawyer or Attorney shall be incapable of Practicing any more in any of the Courts of this Island. Provided always, That if any Fee or Fees appointed by any Act of this Country, or by any Statute or Law in force in
this

this Island, and not hereby repealed, for any breach of any Duty incumbent on any Officer or other Person, and shall not be particularly specified in this Act, it shall and may be lawful for such Officer or other Person to take such Fees as by such Law or Statute is appointed; and such Officer or Officers shall add such Fee or Fees by him or them so taken to the List of his Fees fixt up in his Office according to the directions of this Law, together with a Minute of the Act or Statute Warranting the same, to the end that such Fee or Fees, if any such be omitted, may hereafter be annex'd to such Office by a Supplementary Act at any future Sessions of the Assembly. And provided also, That the Penalties in this Law shall not extend to the Parochial Officers, for taking their Fees for their Duty in their respective Parishes, such as shall be appointed them by the Justices and Vestry.

And be it farther enacted by the Authority aforesaid, That no *Jew, Mulatto, Indian* or Negroe shall be capable to officiate or be employ'd to write in or for any of the above Offices upon any pretence whatsoever; and every Officer in the said Offices, or any of them who shall
suffer

suffer such Person or Persons so incapacitated to write or be employ'd in or for any of the said Offices, for every such Offence contrary to the true Intent and Meaning of this Act, shall respectively forfeit the Sum of One Hundred Pounds Currant Money of this Island; the one half whereof shall be to the use of her Majesty, her Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, the other Moyety to the Informer or him or them that shall sue for the same, wherein no Essoign, Protection or Wager of Law shall be allowed, or *Non vult ulterius prosequi* be entred, any Law, Custom or Usage to the contrary notwithstanding. And be it farther enacted by the Authority aforesaid, That all Costs at Law shall be taxed by the Clerk of the respective Courts where such Actions shall be sued, upon Application to them made, before any Lawyer or other Person shall pretend to ask and demand such Costs or take out Exemption for the same; and whatsoever Lawyer shall offer any Bill of Costs at Common Law or in Equity, or receive his Money thereon, not having been first taxed as aforesaid, shall respectively forfeit for every Offence
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the Sum of Five Hundred Pounds ; one half whereof shall to her Majesty, her Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, and the other Moyety to the Informer or to him or them that shall sue for the same. And that all Bills of Costs in *Chancery* shall also be taxed by the Clerk of the *Chancery*, upon Application to him made ; and in Case any Person or Persons shall tax, insert or allow of any more or other Fees in any Bill or Bills of Costs so to be tax'd as aforesaid, save what are before mentioned, every Person or Persons so taxing, inserting or allowing such Fee or Fees, contrary to the true Intent and Meaning hereof, shall for every such Offence forfeit the Sum of Five Hundred Pounds ; one half to her Majesty, her Heirs and Successors, for and towards the support of the Government of this Island and the contingent Charges thereof, the other Moyety to him or them that shall inform or sue for the same ; provided that each prosecution be within two Years after such Offence given. Provided also, That it shall and may be lawful for the Masters in *Chancery* to Tax all such Bills as shall be due to Lawyers upon

upon Causes already determined as formerly, according to the Rules of Court; provided such Bills as aforesaid be taxed within three Months after the Day of passing this Act.

And be it farther enacted by the Authority aforesaid, That all and every Clause and Clauses (particularly Enumerating Fees only) in any former Act or Acts for Regulating Fees, shall be and are hereby repealed, annulled and made void to all Intents and Purposes whatsoever, any thing herein contained or in any former Act to the contrary notwithstanding. Provided always, and it is the true Intent and Meaning of this Act, that nothing herein contained shall be deemed or construed so as to hinder or abridge any of the Judges of the several Courts within this Island to make, order and establish all such Rules and Orders (adding and altering Fees only excepted) as shall be necessary for the well Regulating the said Courts, but they shall respectively have the same Power therein as they ought or could have before the making of this Act, any thing herein contained to the contrary in any wise notwithstanding.

An ACT

*For the farther quieting Possessions,
and preventing Vexatious Suits at
Law.*

WHereas by the Earthquake and Fire at *Port-Royal*, and by many other Accidents, some Records of this Island have been utterly destroy'd and lost; and whereas several Titles heretofore made of Lands and other Things, by want of Skill and Knowledge in those that drew Conveyances for the same, may admit of Disputes and Suits in Law and Equity; to the Intent therefore that Vexatious Suits both in Law and Equity may be prevented, the Inhabitants eas'd, and the publick Good advanced, be it enacted by the Governour, Council and Assembly of this her Majesty's Island of *Jamaica*, and it is hereby enacted by the Authority of the same, That from and after the first Day of *November* next ensuing, all Possessors of Lands, Houses, Tenements, Negroes or other Hereditaments, by virtue of any Patent, Deed, Assignment or Conveyance whatsoever made,

made, or by Virtue of any Order formerly granted, who have been in the peaceable Possession without Suit, Claim or Interruption, for the space of seven Years before the making of this Act, or shall continue in such Possession from the first possessing of the same, by themselves or those under whom they claim, for and during the space of seven Years, shall have and enjoy such Estate respectively, and hold the same in Fee against all Persons whatsoever, and give this Act in Evidence, or plead it in Bar in any Suit or Suits, to be maintained by or brought against him her or them, by her Majesty, her Heirs or Successors, or any other Person or Persons whatsoever, and against all and every Entry, Claim and Demand whatsoever, which shall be and are respectively bar'd hereby. Provided nevertheless, That Infants, Woman under Coverture, Person of *non sane* Memory, and Persons out of this Island, shall have liberty by themselves, their Agents or Attorneys, to commence their Actions respectively within such times after the disability removed, as are respectively herein after limited; (that is to say) Infants within five Years after they come to the Age of Twenty One Years,

Years, Woman under Coverture within five Years after the Death of their immediate Husbands, Persons of unsound Memory within five Years after they become of sound Minds and Memories, and Persons of full Age out of this Island within five Years from the Date of this Act; or otherwise such Persons are hereby declar'd to be bar'd for ever according to the true Intent and Meaning of this Act, any Law, Custom or Usage to the contrary notwithstanding. Provided also, That nothing in this Act contained shall be any ways deem'd or construed to extend to extinguish, bar, disannul or make void the reservation of any Rents and Services heretofore reserv'd, or which hereafter shall be, or ought to be, or to have been reserv'd to the Queen's Majesty, her Heirs and Successors, in and by any Letters Patent, for and in respect and by reason of any Lands, Tenements or Hereditaments therein contained, or any Right accruing to her Majesty in any Lands, Tenements or Hereditaments, by any Forfeiture that may have been or shall be incurr'd by reason of the Non-performance of Conditions in Deed or in Law, or the Covenants contained in any Grant or Grants
of

of the Crown made or to be made. Provided also, that all Possessors or Proprietors of Lands, holding by Order as aforesaid, shall within one Year after the passing of this Act take out Patents for the same, and pay such Quit-Rents as shall be due thereupon from the time of the great Earthquake, or otherwise shall not be entitled to any Advantage by this Act, any thing therein contained to the contrary notwithstanding. Provided also, That this Act, or any thing therein contained, shall not extend to be deem'd, held, taken or construed to extend to confirm to give Title to any Mortgage or Leases of any Lands, Negroes or other Slaves Mortgaged or in Lease, or to any other Person or Persons to any Lands, Negroes or other Slaves by him, her or them possessed, as Attorney or Guardian, or otherwise in Right of another, or to any particular Use, Trust, Curtesy, Dower, Estate for Years or for Life or Entail, or to any Person or Persons whatsoever claiming or to claim from by or under any Mortgages or Leases, or to any Attorney or Guardian or other Person seized or possessed to the use or in trust for another, or under such Tenants, by the Curtesy in Dower for Years or for Life; but

but that the same remain and be to all Intents and Purposes as before the making of this Act, any thing therein contained to the contrary in any wise notwithstanding. Provided also, that where there are two or more Patents for the same Lands and Tenements in being, that nothing in this Act contained shall extend or be construed to extend to confirm the Right or Title of any latter Patentee, or of any Person or Persons claiming from by or under him, to the prejudice of any prior Patentee, or any Person or Persons claiming from by or under such prior Patentee. And whereas through the neglect of many Persons, Satisfaction hath not been enter'd of Record in due form of Law upon Judgments obtained, tho' they have been fully satisfied; and to the end that vexatious Suits at Law in relation thereto may be prevented, and that all dormant Bills, Bonds, Judgments, and other Securities for Money, which have not hitherto been or shall not be legally demanded in a convenient time, may become void, be it enacted, and it is hereby enacted by the Authority aforesaid, that all Bills, Bonds and Mortgages, whereon no Interest hath been paid, and Judgments, Recognizances, Fines and Amer-

F f ciaments,

ciaments, and all and every other Writing and Writings obligatory whatsoever, which have not been legally demanded within the Space of Twenty Years last past, since the Dates thereof respectively, or since the last payment of Interest upon such Bills, Bonds and Mortgages, and that shall not be legally demanded within the space of Five Years from and after the passing of this Act, shall be and are hereby declared to be null and void, to all Intents, Constructions and Purposes whatsoever, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding. And be it farther enacted by the Authority aforesaid, That all Bills of Sale, Deeds and other Conveyances whatsoever, at any time heretofore made, and duly executed, acknowledged, prov'd, and recorded, pursuant to the true Intent and Meaning of an Act of this Island, entitled, *An Act for prevention of Law Suits*, altho no valuable Consideration be therein respectively inserted, and all Deeds and other Conveyances whatsoever herein after to be made for valuable Consideration, of any Lands, Tenements, Negroes and Hereditaments, within this Island, (excepting such as have or shall be made by Infants during their

their Infancy, and Persons of *Non sane* Memory during the time they continue so) such Lands, Tenements, Negroes and Hereditaments, are hereby enacted and declared to have passed and to be conveyed by the same, as fully to all Intents and Purposes, as any real Estate in the Kingdom of *Great-Britain* might or could pass by Fine and Recovery in her Majesty's Court of *Common Pleas* in *Westminster Hall*, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding.

An A C T

For the more effectual raising Parties, to pursue and destroy Rebellious and Runaway Slaves.

WHereas diverse Rebellious and Runaway Slaves have formed themselves into several Bodies and Parties, and have killed several of the Inhabitants of this Island, burnt and destroyed several Houses, Plantations and Out-Settlements, daily committing Robberies and

other Mischiefs, increasing constantly in their Number; which if not speedily prevented, and due Care taken for the suppressing of them, may prove of fatal Consequence to this Island, be it therefore enacted by her Majesty's Lieutenant-Governour, Council and Assembly of this Island, and it is hereby enacted and ordained by the Authority of the same, That it shall and may be Lawful to and for her Majesty's Lieutenant-Governour, or the Governour or Commander in Chief for the time being, to raise and appoint four standing Parties, for and towards the suppressing and reducing the said Rebellious Negroes, each Party whereof to consist of a Captain, fourteen White Men and five Armed Slaves, such as the Captain or Captains shall think fit to enlist.

And be it farther enacted by the Authority aforesaid, That as soon as such Party or Parties shall be raised, that such Captain or Captains, with the respective Person or Persons under his and their Command, shall proceed to attack, kill and destroy all and every such Runaway or Rebellious Slaves, which they shall find, be inform'd or in pursuit of; which said Parties shall be kept in the Windward

ward Parts of this Island (*viz.*) St. Davids St. Thomas and St. George's. And for the more effectual suppressing of the said Rebellious Slaves, be it enacted by the Authority aforesaid, That it shall and may be Lawful to and for the Lieutenant-Governour, or Commander in Chief for the time being, and to and for the Colonel or the Commanding Officer of every Regiment of this Island, upon Notice to him or them given, to raise and send out such other Party or Parties (besides the said four Parties herein beforementioned) as shall be thought convenient, for the more speedy reducing and killing such Rebellious and Runaway Slaves in all other Parishes of this Island wheresoever it shall be thought requisite. And for the encouraging of all Persons cheerfully to engage in this so necessary a Work, it is hereby enacted, That the Captain or Commander of each and every Party shall have and receive six Pounds *per* Month, each Serjeant four Pounds *per* Month, and every private Soldier three Pounds *per* Month, and every Slave fifty Shillings, whereof ten Shillings *per* Month shall be to the sole and only use of each Slave belonging to any of the said Parties. And moreover, that the said

Parties shall be farther allowed and paid the Sum of five Pounds for every Rebellious Slave which they shall kill or take alive, besides all Plunder and other Advantages given and allowed in and by an Act, intitled, *An Act for the better Ordering and Government of Slaves*; which said Sum of five Pounds and Plunder which each Party shall take, and all other Profits allowed in and by this or any former Act, shall be equally divided to and amongst the Captain and Soldiers belonging to each Party as aforesaid. And be it farther enacted by the Authority aforesaid, That it shall and may be lawful for the Captain and Commander of any of the said Parties intended to be raised as aforesaid, to impress such Slave or Slaves, not to exceed the Number of five, to belong to each Party as the Captain or Commander of such Party shall think fit to employ, whereof not above two out of any Plantation. And for the preventing of any disputes which might otherwise arise between the Commanders of such Party, and the Owners or Proprietors of such Slaves intended for the said Service, it is hereby declared by the Authority aforesaid, that if the Owner or Proprietor of such Slave or Slaves shall
refuse

refuse to deliver and send out with such Captains or Commanders the Slave or Slaves so pitcht upon as aforesaid, all and every Person or Persons so refusing shall forfeit the Sum of ten Pounds for every such Offence, which shall upon Complaint be heard, and upon proof adjudged by the next and immediate Justice of the Peace to whom such Captain or Commander shall make such Complaint; one Moyety to the Party, the other Moyety for the Use of the Poor of the Parish where such Offence shall be committed; from which said Sentence or Order of the Justice against all such Persons who shall so refuse, no Appeal shall lie in any of her Majesty's Courts of Judicature, but the same shall be absolute and decisive, any Law, Custom or Usage to the contrary thereof in any wise notwithstanding. And be it farther enacted by the Authority aforesaid, That every Slave which the Captain or Commander of the said Parties shall judge capable of being employ'd in the said Service, shall before his entring into the same be valued and appraised by one of her Majesty's Justices of the Peace of this Island, and some sufficient Inhabitant, to the Intent that the Owner or Proprietor of every Slave which shall happen to be

killed or disabled in the said Service, may receive ample Satisfaction; which the Commissioners appointed by this Act are hereby impowered to pay, and satisfy to the Owner of such Slave or Slaves which shall be killed, and all other Slaves which shall happen to be maimed or wounded in the said Service. And be it enacted by the Authority aforesaid, That in Case any White Person shall be disabled from getting his Living by any wound or hurt in the said Service, that such White Person shall be paid by the Commissioners hereafter named the Sum of Twenty Pounds *per Annum* for and during his Natural Life; and if any White Person shall happen to be killed, that then the Sum of Twenty Pounds *per Annum* shall be answer'd and paid to the Widow, Child or Children of such Person who shall be killed in the said Service, for and during the Term of Seven Years. And whereas it may be adjudged necessary to transport such Parties from Place to Place, in order to prevent long and tedious Marches by Land, it is therefore farther enacted by the Authority aforesaid, That it shall and may be Lawful to and for her Majesty's Lieutenant Governour, or the Commander in Chief for the time being, to impress
such

such Sloop or Sloops, or other Vessels as shall be adjudged necessary, for the transporting or carrying such Parties from Place to Place, or the Provision, Baggage or other Necessaries which shall be adjudged proper for this intended Service. And it is hereby farther enacted by the Authority aforesaid, That the Commissioners hereafter named shall buy and provide such Ammunition and Provision as they shall think fit and necessary for the said Parties, and distribute the same to such Person or Persons for their Use, as the Governour or Commander in Chief shall order and direct; And moreover, that the Captains of all and every of the said Parties, together with the Soldiers under their respective Commands, shall follow and obey all and every such Orders and Directions as shall from time to time be given out by the Governour and Commander in Chief for the time being. And farther, that the Captain of any of the said Parties shall from time to time command all such of her Majesty's Soldiers, as the Governour shall from time to time order to go out and joyn with the said Parties, for and towards the suppressing of such Rebellious Negroes; but if any Officer, Captain or Commander, Soldier or other Person, shall
be

be remiss or negligent in his or their Duty, the said Persons so offending shall loose their Pay, and incur such Pains and Penalties as a Court Marshal shall adjudge. And to the Intent that this so necessary a Work may be the more speedily and effectually carryed on, it is hereby farther enacted by the Authority aforesaid, That the Captains of all or any of the Parties so intended to be raised as aforesaid, shall have full Power and Authority to impress and take into his Service any White Servants hired or indented, (Overseers and Artificers only excepted) which said Servants shall, upon Notice thereof to him or them given, be immediately accounted out by the Master, Mistress or Overseer of the Plantation to which such Servant doth belong, with a Gun, Cartridge-Box, Cloaths, and all other Necessaries fit for the said intended Service. And in Case the Owner, Master, Mistress or Overseer shall refuse or neglect to send to the Captain or Commander of such Parties, such White Servant or Servants compleatly fitted for the said intended Service, all and every Person or Persons so refusing or neglecting as aforesaid, shall likewise forfeit the Sum of Ten Pounds for every such Offence, which shall,

shall, upon Complaint of the Captain or Commander of such Party, be heard, and upon proof adjudged, by the next and immediate Justice of the Peace, to whom such Captain or Commander shall make such Complaint; one Moyety to the Party, the other Moyety for the Use of the Poor of the Parish where such Offence shall be committed. And it is hereby farther enacted, That the Master of every such White Servant, who shall be so impressed or who shall voluntarily enlist himself, shall have and receive to his own Use the Sum of Two Pounds *per* Month, and that the Servant shall have and receive to his own Use the Sum of Twenty Shillings *per* Month for his encouragement; which said Sums of Two Pounds and Twenty Shillings *per* Month shall be duly paid by the Commissioners herein after named. And that all Persons employ'd in this Service, Captains and Soldiers, may be regularly and punctually paid by the said Commissioners, it is hereby farther enacted, That upon the return of any of the said Parties, the Captain of such Party shall apply himself to the Commanding Officer of the Parish where such Party shall be, and shall give to such Commanding Officer a full Account of his
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Proceedings ; which said Officer shall thereupon settle and adjust an Account of what shall be due to the Captain and Soldiers of such Party, and shall sign and subscribe his Name to the same, which shall be immediately thereupon transmitted to the said Commissioners, who shall thereupon pay or cause to be immediately paid such Sum or Sums as shall appear to be due to the Captain and his said Party, any thing herein contained to the contrary thereof in any wise notwithstanding. And it is hereby farther enacted by the Authority aforesaid, That Major *Francis Rose*, Captain *Matthew Gregory* for *St. Jago de la Vega*, Major *Richard Thomson*, Doctor *John Blaire* for *Port-Poyal*, Colonel *Thomas Clark*, Captain *Edmund Edlyne* for *Kingston*, shall be and are hereby appointed Commissioners for the Purposes and Intents aforesaid, who are hereby impowered and ordered to receive and dispose of such Sum and Sums of Money as are or shall be appropriated by any Act or Acts for the Uses, Intents and Purposes aforesaid. And that the said Commissioners shall be allowed and may detain in their Hands the Sum of Two Pounds and a half *per Cent.* and no more, out of all and every such Sum and Sums of Money which

which they shall receive and pay out, by Virtue of this or any other Act, or Ordinance whatsoever, any Law, Custom or Usage to the contrary in any wise notwithstanding. And lastly, That all Slaves taken by the said Parties shall be tried as in the Act herein before-mentioned is directed, and if adjudged to be transported where no Owner or Owners lay Claim, the Money thence arising shall be paid unto the Commissioners herein mentioned, and to be accounted for by them accordingly.



Mr.



Mr. *FRANCIS HANSON*'s
Account of the ISLAND and
GOVERNMENT of JAMAICA,
which was wrote in or about
the Year 1682.



HIS Majesty having been graciously pleased (with the advice of the Lords of the Privy Council appointed a Committee for Trade and Plantations) to give His Royal Assent to several Acts made by the Governour, Council and Assembly of Jamaica; it was thought fit to publish the same, as well for the benefit of its Inhabitants, as all others His Majesties Subjects who may Trade or be any ways concern'd there; but for prevention of Mistakes (lest strangers to Jamaica might think these few Acts were all the Laws and Privileges of that Island, which might lessen it in their esteem, and discourage some from adventuring themselves or their fortunes thither) I was desired by some Persons of Quality, to give a more particular account thereof; in observance of whose commands, and respect I bear the place, I promised my endeavours, but must be very brief, for that the Book is in the Press ready to come forth; wherein I may be the more excusable, since a Gentleman who has lived long in,
and

Mr. Francis Hanson's Account, &c. 437

and very well knows that flourishing Country, hath here already given so good a description of the Island which (as he saith) was taken from the Spaniards, in the Year 1655, and I may add in the 7th Year of his now Majesties Reign, who when he came to exercise his Royal Authority was pleased to own what his Subjects had done (which was the same as if he had Commissionated them) and among other his glorious Titles descended to stile himself Lord of Jamaica, by whose special grace and favour we have hitherto all the Laws and Privileges of English Men exercised and continued amongst us there. These Acts now Printed being only By-Laws for better Government of the Plantation (which in some case requires different Regulations from the Kingdom of England, as some Counties for Stanneries, Fens, &c. do here) and for raising such necessary Customs as may defray the Publick Charge of that Country, for all Judges and Justices in Jamaica determine all Pleas there according to the Laws of England; pursuant whereunto that Island hath been Govern'd, except some little Variations for ease and benefit of a new settlement, as our Proceedings being all in English, our pleading general Issues and giving special matters in evidence, our suits being more concise and far less chargeable than in England, the Practice of our Courts there much more plain and intelligible. To begin with his Majesties Supream Court of Judicature (so called, which hath the same Jurisdiction with the Kings-Bench, Common-Pleas, and Exchequer at Westminster, and is held 4 times in the Year as the Terms in England, viz. every last Tuesday in February, May, August and November, which continue each time about a Week, and therein are first determin'd all Pleas of the Crown, then follow Common-Pleas, &c. The Judges of the Court being Commission'd by his Majesty or his Governours are always 5 or 7, whereof no less than 3 can try any Cause, and they consist of the most considerable Gentlemen of the Island both for Parts and Estates, and usually the Chief Justice is one of the best
Qua-

Quality, who hath practised and is well read in the Laws of England ; tho few of them are so learned as the Judges here, yet they are Men of the greatest sense and reason (whereon all Law is or should be grounded). This Court is not Burthen'd with many Officers, for one called the Clerk of the Grand Court is Prothonotary Custos brevium, &c. Nor do we trouble our selves with many sorts of Writs, as Originals, Capias, Alias or Pluries, very rarely or never arresting any Person of known residence, only send him a Summons to appear next Court, and that he may come provided, a Copy of the Declaration is always left with the Summons, which being served 8 Days at least before the Court, the Defendant is bound to appear, plead, joyn issue, and come to Tryal the very next Court, or Judgment will pass by default, no Imparlance being allowed without special cause as on Oath that he hath material Witnesses, and hath endeavoured but cannot Subpoena them. In Tryals we have not several Venire's nor a particular Jury for every Cause, unless in some special matter of great import, but by a general Venire the Marshal prepares enough for four or five sets of Jurors, not knowing what issues they are to Try, (which prevents packing or partial returns) who are impannel'd in Court, and put upon the Crown side, or Common Pleas, in such causes as the Judges extempore direct. And the same Jury usual Tries Six or more at a time, as the Court thinks their Memory may well bear, for help whereof some of them take Notes ; also they are permitted to take with them the Record it self, with all Papers or Deeds proved in Court, most of our Actions there being plain matters of Debt or Accompt, and some few Ejectments, Writs of Dower, Partition, &c. The Jurors indorse their Verdict on each Record, which is deliver'd in Court to the Clerk, who of course enters Judgment unless it be arrested, which every one may move the last Day of the Court, but is rarely granted without very special cause presently made appear ; but if such motions are ever favoured, it is in excessive damages on Action of Slan-

Slander or frivolous Trespasses, which are usually discountenanced. We are not intreatu'd with dilatory Writs of Inquiry, but when any Judgment is confess'd or passeth by nil dicit in case, &c. the next Jury happening to be trying issues in Court, take the Record and Assess Damages presently. And for ease of those who live by their labour to prevent unnecessary attendance and expences, all Actions depending that Court or Term are called and try'd alphabetically beginning with the Plaintiffs names; so all parties, witnesses, &c. may guess on what Day such a Letter may come on, and accordingly give their attendance. Fourteen Days after the beginning of the Court Execution issues, for which we have but one Writ comprehending both a Fieri fac. and Capias ad sat. (viz) to levy the Debt and Costs of the Defendants Goods, or if he have none, then to take his body; but because no general Imparlane is allowed before, we in a Manner give one after Judgment: For that no Man may be ruined by hasty surprise and sale of his goods, the same after seizure in Execution may be returned, but must be left in the Defendants hands to dispose to most advantage (if he end not with the Plaintiff) so as to bring the Money into next Court, wherein if he fails, then a Venditioni exponas issues to the Marshal to sell them or any other goods or take his Body: Before or after which the Defendant is at liberty to bring his Writ of Error, returnable before the Governour and Council, though it is very rarely practised, such Writs meeting with very little encouragement in just Debts. His Majesty hath also constituted in this Island a Court of Chancery, wherein the Governour himself always sits as Chancellour, assisted by several discreet Gentlemen of eminency as Masters, where Causes are speedily determined without those delays and expences used in England. There are also in every Parish or County, monthly Courts erected for tryal of all Actions under Twenty Pounds, or ad infinitum, with a Justices out of Chancery, which the Governour cautiously grants on special occasions. Of Judgments in these Courts Writs of Error

lie returnable at the Supream Court, but rarely brought for reason aforesaid. Then every Justice of Peace (besides the Authority of a Justice in England) hath Power of holding a Court of Conscience for all matters not exceeding Forty Shillings value. The Quarter Sessions are also held in each Parish or County after the manner of England, and there is a Court of Admiralty at the Town of Port-Royal for tryal of Piracy and deciding other Maritime affairs, from whence we have the liberty of appealing to the Governour there, or to his Majesty in Council here for redress. The Governour also hath Power (as Ordinary of the Diocess) for probate of Wills, granting Administrations, and determining all controversies concerning the same; But Ecclesiastical or Spiritual Courts are not yet known in this Island, nor are Purchasers here incumbred with bad Titles, for that Register (so much wished for in England) is here established, where all Conveyances being acknowledged are to be Enroll'd within three Months, if the Cognisors inhabit there; But if any Persons, Feme Coverts or others residing in England, and interested in any Lands or Plantations there shall desire to dispose of the same here, they must seal and deliver their Deeds before two or more credible Persons going for Jamaica, who attesting the same before a Judge there, the same may be Enroll'd in six Months, and shall be as Valid in Law, as if done by Fine, Recovery or otherwise. In which case I should advice the Purchaser to take by way of Lease and Release, and to have two parts at least of each, with Covenants for farther assurance, &c. that if one part happen to miscarry, he may require another, yet so as always to keep one here, least any breach of Covenants should happen. And since this publick Register or Office of Enrolments is found of such general use, that no Purchaser or Lender of Money can be deceived in his Title, it may not be unseasonable (for advancement of our Plantation Trade, and consequently enriching our native Country of England, the great Receptacle of all our wealth) to encourage monied Men, (who expose it here at

4 and 5 per Cent. yet cannot get satisfactory security) to adventure some of it for Jamaica, where they may have unquestionable security, by Men of visible estates, or good Mortgages, for neither Persons nor Estates can be there incumbered; but they must be discovered either by the aforesaid Register or report of their Neighbours, who generally more intimately know and better observe each others Affairs than they can in England. Nor was it ever known that any Mortgage hath been defeated or Title proved defective where compared and agreeing with the Register, so that any Persons having Monies here to put out, may remit the same to Jamaica by Bills of Exchange at 20 per Cent. or in Commodities (by advice of Merchants here) at 40 or 50 per Cent. or more advance, and lend the same at 10 per Cent. running only (in Commodities) the risque of the Sea, which also is so inconsiderable, that it may be ensured for about 2 per Cent. But when they recal their Monies they may expect 15 or 20 per Cent. loss on their returns, though sometimes they gain also back; which loss when it happens may be attributed to the difference of our Coyns here and there, Jamaica Money being about one 5th more in value there than it will yield in England. And such Adventurers have this farther encouragement, that all real Securities there are meliorated (being certainly improvable) the longer they continue planted, whereas Lands here usually decrease in value. It might also turn to much greater advantage than the best way of employing Money in England to Purchase Plantations there, many good penniworths frequently offering, as may be found by inquiry here of such as have Estates there, though usually those that have least do most undervalue the place: For if Jamaica lie under any ill Character, she owes it to some few Prodigals who having Riotously consumed that little they carried thither, and being through ignorance or laziness incapable of any imploy, come home and rail against the Country, to justify their unprofitable Voyage and Return. There is also another imputation on Jamaica, viz. the

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difficulty of getting due Returns and Recovery of just Debts. To the first it hath usually more noise than substance, for many Men of declining fortunes, to deceive their Creditors, or otherwise, boast of great concerns there, and disappointments by their Factors and Agents, &c. when really they have little or nothing in the Island, for if they had, the Law is open and much more cheap and expeditious remedies to be used there than in England; though indeed as to the second some have herein met with obstructions, partly occasioned by a former Law indulging all new Comers for 5 Years against prosecutions for Foreign Debts: But that being now thought a disparagement to so populous and opulent a Colony, was disliked by the Lords Committees and is not confirm'd: Other inconveniencies some have met with for want of due information how to draw their proofs and procurations: I would not encourage any litigious suits, but for instruction of honest Creditors against able Debtors, I should prescribe this method, that all Letters of Attorney be Attested by Persons going thither, who may prove the same *vivâ voce*, which being recorded there, is good though witnesses die or return, whereas Persons usually send procurations under Corporation seals, which are not there admitted for that better proofs may be easily had as aforesaid; but such cannot always be found for Debt: In such case the Law there is so favourable to admit depositions attested under the seal of the City of London or other Corporations, but then the Plaintiff would do well to give due Credit on Oath for what he hath received, or else the Defendant may have just occasion (with security) to delay him by Injunction till he answer his Bill in Chancery: Or if the Debt accrues by Specialtie, the Original bond itself must go over, it being unreasonable to recover against any Man on a Copy, yet the bond itself lie out against him; nor can indorsements nor truth so well appear unless produced in Court. If any Bill of exchange be drawn from Jamaica, which will not be paid here, one of the Original Bills must go back doubly protested,

tested, as well for non acceptance as for non payment, and in mistaking these or such like measures (grounded upon Law and Reason) many have been baffled or delayed, and then causlessly reflect on the Justice of the Island. This is what occurs at present about our Temporal Laws. I may also add that the People are generally of the Church of England, and I am confident, in no part of the King's Dominions hath his Majesty more truly Loyal Subjects for the Number of its Inhabitants, than are in Jamaica: We have very few Papists or Sectaries, for neither Jesuits or Non-conformist Parsons do or can live among us; some few have attempted, but never could gain Profelytes enough to afford them sustenance (though all except Papists may freely exercise what Religion they please without disturbance) But for able orthodox Divines there is so great encouragement, that it's to be admired so many can content themselves with such mean or no Benefices in England, when they may so comfortable subsist in Jamaica, for that they are certainly provided for by an Act intituled, For Maintainance of Ministers, which see in this Book Folio 77. Besides which allowances, in most Parishes the Contingencies by voluntary presents for Christenings, Marriages, Buryings, and otherwise with Houses, taking Boarders, Schooling, &c. make considerable additions. So that they may live comfortably and lay up, Victuals being as plentiful and of the same sorts for Butchers Meat, tame and wild Fowl, Fish, Bread, &c. (with more variety) as in England, with this difference that we have green Peas, Beans, Cherries, Asparagus, Musk and water Mellons, Pines, Grapes, Oranges, Pumgranats, Citrons, Lemons and hundreds of several other sorts of Fruits in season all the Year long But some are apt to object the hazard of the Voyage, and unhealthiness of the place; as to the first, It's as safe going to Jamaica as to go in a Wherry on the River Thames, where more Boats are cast away in proportion than Ships going for that Island, for we soon come into a Trade Wind and presently sail before it, almost constantly blowing from

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from East to West, that is, from England to Jamaica; it being rarely known that any Vessels miscarry going thither. And this is evident enough, if we consider the common rate of Ensurers at two per Cent. who are Men of foresight and experience, never proposing less than doubling their Money, which they cannot do if but one Ship in an hundred miscarry, yet that doth not happen in time of Peace. Then as to the unhealthiness of the Climate, (there are some who never were abroad think all places beyond Sea much alike, so that having heard of Sicknes and seasonings for new comers in places lately settled, they are apt to impute it without any reason to Jamaica, the Air being always serene and Weather constantly temperate, though usually reputed very hot, yet it's only so comparatively in respect of these Northern Climates, being with us always Summer as if every Month were June. I have observed and can experimentally affirm for twelve Years last past, Jamaica to be as healthful a place as any part of England, for sober temperate Persons, who have command of themselves, especially at first arrival, and can moderately drink one third Wine with two thirds Water; but on the other side I think it as pernicious a place to debauch in, as any in the World; and this so necessary vertue of sobriety being more habitual in the other Sex, makes the place far less fatal to them than Men, whereof usually ten dye in proportion for one Woman, as appears by the yearly Bills of Mortality on Port Royal (which is the London of Jamaica) and it is not extraordinary, if we also consider the Nature of the Climate (as it really is) most propitious to Childbearing Women, who are not so subject to Miscarriages, Distempers, Pains or Difficulties before at or after Delivery, as they are in England, for being always Summer, there is no danger of catching colds, nor need of Fires in their Chambers, no Rooms there having any Chimnies except the Kitchen which is usually apart from the dwelling House. In Jamaica, the Women after Childbed are strong and lusty at three Days end, and about House again in a Week;

nay

may some Negroe Women are at Work in the Field the same or next Day. I have been often Questioned about the Natives of our Island, Whether they were not a Terror to us, &c. It may not therefore be impertinent to declare that Jamaica is wholly Inhabited with English, who found none there but Spaniards, which were soon beaten off, and are long since in battle or by flight extirpated, though perhaps it was formerly very populous with Indians, but those were destroyed by the Spaniards, so that we have no Natives at present but Children of the English, or their Negro Slaves (which are imported thither as Merchandize from Guiney and other parts of Africa) of whom we are in no such fear or danger as in lesser Islands, But Jamaica is of too vast an extent for any such Surprise, being in many Places divided with mountains of difficult access, and great Rivers not passable but by Boats or Ferries, which dare carry no Negroes without a Written Ticket or Licence from their Master or Overseer. And if any Slaves be found wandering out of his Masters Plantation, any Person may seize and carry him to his Owner or next Officer, and receive a certain reward. By which and other expedient Methods it's safer living or travelling in Jamaica than England, we having rarely any House-Breaking or Robbery for want of receivers, most Persons there generally knowing each other as they do in Country Cities here. Though there are few Inns for Travellers, yet they are better and cheaper accommodated at Planters Houses, who are generally very Hospitable and are conveniently dispersed over the whole Island, for all Jamaica is settled by the English from one end to the other, though in some places more thin than others. The Houses indeed are not so close as in some parts of England, yet usually the Plantations are contiguous, for a great Sugar Work requires some hundreds of Acres for Canes, Wood Provisions, Pasture, &c. yet most of the Planters are forward enough to spare some of it to a good Neighbour on reasonable terms. The Wood-Lands are commonly cleared and used for Planting, but there are
vast

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vast even Meadows called Savannas, for grazing of Horses, Cattle, Sheep, &c. which we never cut nor make any Hay of, having Grass all the Year long, though sometimes a little too much dry'd or scorched by the Sun, when many purposely set it on Fire, the ashes whereof manure and improve the Ground against another Crop, which will suddenly spring again with the next gentle showers or without, by the great dews which there fall in the night, and in the mean time the Cattle retire to other pastures in shady Woods or lower Marshes; it is also observable that our Horses are generally swift, but few or none of them shod, yet will gallop the most stony way, and climb steep Rocks like Goats, nor are they troubled with near so many Distempers as Horses in England, it being common (though never so hot or hard ridden) to turn them presently grazing; but the Horses are usually of so small a breed, that all Gentelmens Coaches (which are there very numerous) go with six Horses apiece; we have also several Hackney Coaches. The manner of living there for Gallantry, good Housekeepings and Recreation: (as Horse-Races, Bowls, Dancing, Musick, Plays at a publick Theatre, &c.) sufficiently demonstrate the flourishing condition of the Island, yearly increasing as well in number of Inhabitants as in wealth and plenty, being most commodiously seated in the midst of the Spaniards, so that we drain the benefits of their Gold and Silver Mines without their Labour and Expences. The Town of Port-Royal, being as it were the Store-House or Treasury of the West-Indies, is always like a continual Mart or Fair, where all sorts of choice Merchandizes are daily imported, not only to furnish the Island, but vast quantities are thence again transported to supply the Spaniards, Indians, and other Nations, who in exchange return us bars and cakes of Gold, wedges and pigs of Silver, Pistols, Pieces of Eight, and several other Coyms of both Mettles, with store of wrought Plate, Jewels, rich Pearl Necklaces and of Pearl unsorted or undrill'd several Bushels; besides which, we are furnished with the purest and most fine sorts of Dust Gold from Guiney.

Guiney, by the Negroe Ships, who first come to Jamaica to deliver their Blacks, and there usually refit and stay to reload three or four Months; in which time (though the Companies Gold may be partly sent home) yet the Merchants, Masters of Ships, and almost every Mariner (having private Cargoes) take occasion to sell or exchange great quantities; some of which our Goldsmiths there work up, who being yet but few grow very wealthy, for almost every House hath a rich Cupboard of Plate, which they carelessly expose, scarce shutting their doors in the night, being in no apprehension of Thieves for want of Receivers as aforesaid. And whereas most other Plantations ever did and now do keep their accounts in Sugar, or the proper Commodities of the place, for want of Money, it is otherwise in Jamaica, for in Port-Royal there is more plenty of running Cash (proportionably to the Number of its Inhabitants) than is in London, which (among other worthy Acts) we chiefly owe to the provident care of his Excellency Sir Thoms Lynch our present and former Governour, who about ten Years ago (by advise of his Majesties Council there) raised the value of our current Coyns about one 5th more than they will yield in any other part of Christendom, so that none care to carry Money off but bring great quantities thither, which occasions the daily increase of our Sugar-Works and other profitable Plantations, and gives great encouragement to the Gentlemen Planters in other adjacent Islands and Plantations to remove and settle amongst us, being there obliged to use trash and Sea-Coals to boyl their Sugar (which renders it not so good as when made with quick Wood Fires) nor are they here at so great Chrage for Horses and Cattle to do their Work, nor pent up in such narrow Plantations for want of Land as in those small Islands, nor subject to many other inconveniencies incident to little Countries and small Numbers of People; this Island of Jamaica being very capacious, and supply'd both from abroad and in it self with great plenty of all things necessary.

F I N I S.

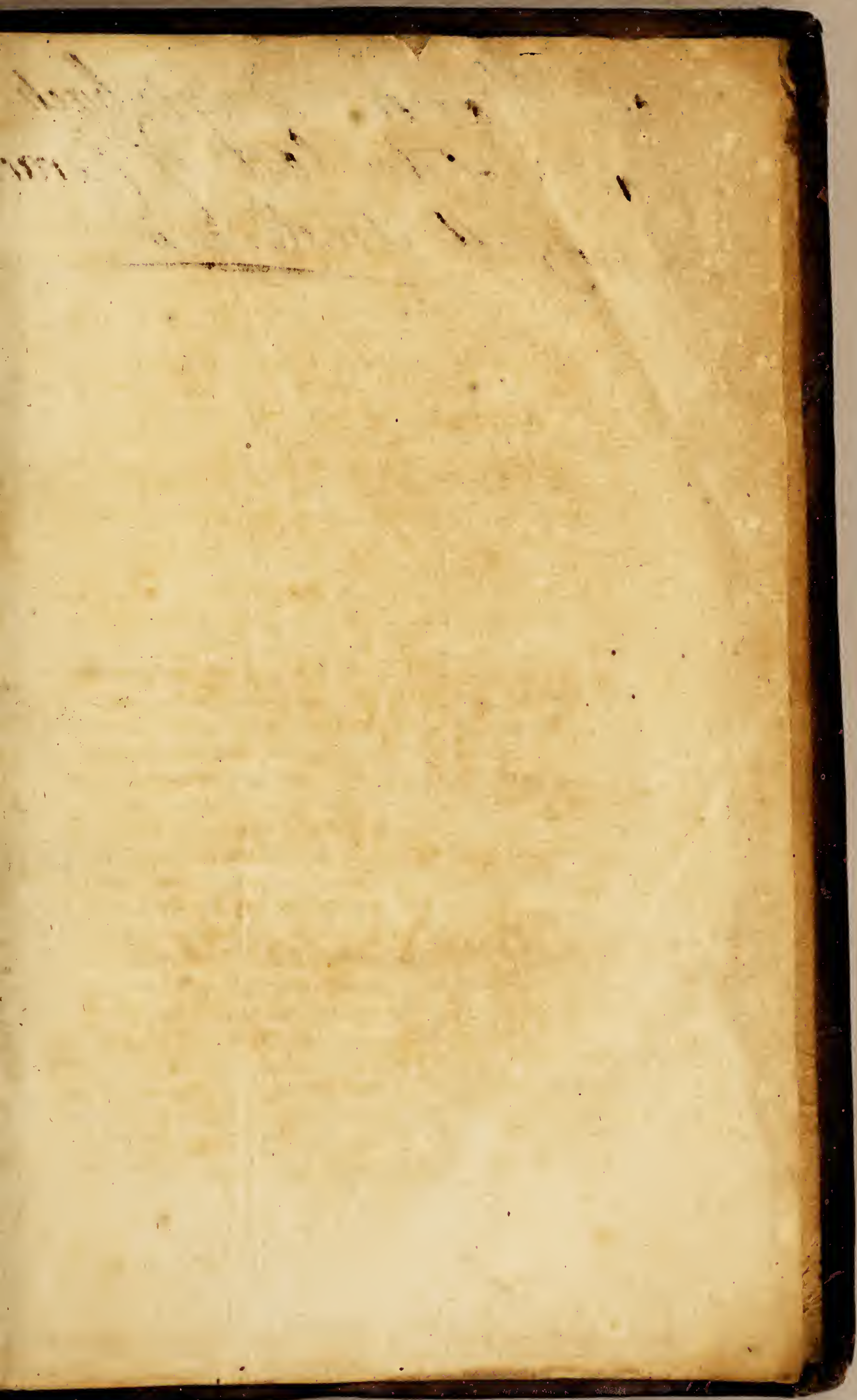
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ERRATA.

PAGE viii. l. 18. for *is* read *are*. P. 37. l. 6. r. *Court*. P. 44. l. 12. dele *who*. P. 271. l. 11. r. *Heywood*. P. 283. l. 18. for *Law* r. *Laws*. P. 284. l. 3. r. *Laws*. P. 285. l. 24. r. *Laws*. P. 286. l. 26. r. *Laws*. P. 287. l. 15. r. *Laws*. P. 427. l. 2. after *shall* r. *be*.





Cap. Marten. Durtz back
Master of the Post of Cura
Lying at Amsterdam

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